

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32453-2017 (O&M)
Date of decision: 08.11.2017

Gurchet Singh @ Jeta

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. H.S. Batth, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. Gaurav Kalsi, Advocate
for the complainants.

ARVIND SINGH SANGWAN J. (Oral)

CRM-35239-2017

Prayer in this application is for adding Section 201 IPC in the head note as well as in the prayer clause of the main petition.

Application is allowed. Section 201 IPC is ordered to be added in the head note and the prayer clause of the main petition.

CRM-M-32453-2017

Prayer in this petition is for grant of regular bail in FIR No.109 dated 18.09.2016 under Sections 307, 323, 324, 148, 149IPC and Sections 25, 27 of Arms Act, registered at Police Station Bhikhiwind, District Tarn Taran.

Counsel for the petitioner submits that the petitioner is in

judicial lockup since 01.06.2017 and has already undergone 05 months and 06 days of actual sentence. It is submitted that on an earlier occasion, the petitioner has filed CRM-M-34176-2016 praying for issuance of directions to the official respondents to protect his life and liberty, as he is one of the complainants in FIR No.49 dated 09.04.2015 under Sections 302, 307, 341, 148, 149 IPC and Sections 25 & 27 of Arms Act, registered at Police Station Bhikhiwind, District Tarn Taran, on account of murder of son of the complainant in that FIR, where the petitioner was an injured witness. Vide order dated 13.01.2017, this Court has granted protection to the petitioner for appearing in the Court for pursuing that case. It is further submitted that as per this order, it is noticed that the complainant in said FIR No.49 did not support prosecution version, whereas the petitioner is still pursuing this FIR and therefore, he has been falsely implicated in the present FIR and has shown such apprehension on earlier occasion as well. It is further submitted that another CRM-M-29203-2016 was filed in the said FIR No.49 praying for anticipatory bail and the petitioner has opposed the same as the complainant.

Learned State counsel, on instructions from ASI Dilbag Singh and assisted by counsel for the complainants, opposed the prayer for bail on the ground that there are allegations of gunshot injuries caused by the petitioner to Harchand Singh.

Without commenting on merits of the case, considering the fact that the petitioner is in judicial lockup since for the last about five months and conclusion of the trial will take long time and also in view of the fact that the petitioner is a complainant in an earlier FIR and has filed CRM-M-

34176-2016, in which protection was granted to him vide order dated 13.01.2017, the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate.

08.11.2017
vishnu

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No