

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

206

CRM-M-33123-2017.

Date of Decision: 27.09.2017.

Judgepreet Singh Judge

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rajesh Kumar Girdhar, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Mr. Dilpreet Singh Gandhi, Advocate for the complainant.

Ramendra Jain, J.(Oral)

Memo of appearance filed on behalf of the complainant is taken on record.

Through this petition under Section 439 of the Code of Criminal Procedure, prayer has been made for grant of regular bail pending trial to petitioner Judgepreet Singh Judge in case F.I.R. No.26 dated 06.02.2017 registered under Sections 302/307/452/427/148/149/120-B IPC and Sections 25/27/30/54/59 of the Arms Act at Police Station City Tarn Taran.

Learned counsel for the petitioner inter-alia contends that no injury has been attributed to the petitioner. Only wooden flank has been recovered from him. No injury, whatsoever, is shown to have been caused to the deceased by wooden flank in the M.L.R. or the P.M.R. of injured Surjeet

Singh. Surjeet Singh had died on account of fire arm injury caused by Gurpreet Singh @ Babbu and Amarpal Singh.

On the other hand, learned counsel for the respondent-State assisted by Mr. Dilpreet Singh Gandhi, learned counsel for the complainant, vehemently opposed the prayer for bail to the petitioner, submitting that as soon as the unlawful assembly of around 20-25 persons entered the house of complainant Jaswant Singh, the co-accused Gurpreet Singh @ Babbu, Amarpal Singh, Gurvinder Singh @ Pappu and Jaswant Singh @ Jassa started firing indiscriminately and thus, no occasion arosen for the petitioner to cause any injury with his wooden flank, though he had gone at the spot with an intention to cause injury to the complainant party. The petitioner was a member of an unlawful assembly and Surjeet Singh died on account of indiscriminate firing by the other persons.

Considering overall facts and circumstances, but without commenting anything on the merits of the case, the petitioner is admitted to regular bail during trial, subject to his furnishing bail/ surety bonds to the satisfaction of the trial Court.

Petition is disposed of accordingly.

(RAMENDRA JAIN)
JUDGE

27.09.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No