

CRM-M-36134-2017

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

CRM-M-36134-2017

Date of Decision:03.10.2017

Kamal Kumar @ Bori

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Kamal Kumar @ Bori has filed this 2nd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.192 dated 03.10.2016, registered at Police Station Sadar Amritsar, Amritsar City, under Sections 307, 452, 323, 148 and 149 of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the prosecution version, the present petitioner was armed with pistol and fired on the left shoulder of Harinder Singh, father of the complainant.

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Learned counsel for the petitioner has brought into notice of this Court that complainant-Manbir Singh and his father, Harinder Singh, both have appeared before the trial Court and not supported the prosecution version. They have not deposed anything against the present petitioner.

Moreover, the petitioner has been in custody since 21.10.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

03.10.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No