

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

Criminal Misc. No.M- 39580 of 2017(O&M)

Date of Decision: November 1 , 2017.

Gurjinderpal Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mrs. Gursharan K.Mann, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in the cross-version case i.e., DDR No.064 dated 09.02.2017 under Sections 324/326/354/34 IPC, Police Station Chheharta, District Amritsar, in FIR No.038 dated 09.02.2017 under Sections 326/323/325/354/34 IPC, Police Station Chheharta, District Police Commissionerate Amritsar.

It is submitted that FIR No.038 dated 09.02.2017 was registered at the instance of the petitioner's mother. The petitioner's father and his brother i.e. one of the accused in the FIR, are admittedly embroiled in a dispute regarding

land. It is submitted that it is yet to be decided that as to who was the aggressor in this case. The petitioner has been wrongly implicated in the cross-version whereby allegations have been levelled against the petitioner and his parents. The cross-version, it is contended, was in fact lodged on 09.02.2017 in a mala fide manner after a delay of nearly fifteen days of the incident in question. Learned counsel for the petitioner further submits that Angrej Singh i.e., the main accused in the FIR, has been afforded the concession of bail pending trial. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Sarwan Singh, verifies that the parties are closely related inter-se and Angrej Singh, the main accused in the FIR, has been released on bail pending trial. Final report under Section 173 Cr.P.C. has since been presented. Cross-version is also verified to have been registered on 09.02.2017.

The petitioner is not reported to be involved in any other criminal case. He is in custody since 28.07.2017. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Gurjinderpal Singh is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety to

the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

November 1 , 2017.
'om'

(**LISA GILL**)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No