

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-42275 of 2016

Date of decision : February 21, 2017

Sandeep Singh alias Sandy

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. AS Jawandha, Advocate, for the petitioner
Mr. Gurinderjit Singh, DAG, Punjab for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Sandeep Singh alias Sandy in this regular bail application under section 439 Cr.P.C. are that on 1.6.2016, the petitioner along with co-accused non-applicants Nepali and un-known person armed with knife attacked Lakhwinder Singh son of complainant Harjit Singh.

The contentions of counsel for the petitioner are that the petitioner has not been attributed any role and the only injury on the stomach is attributed to his co-accused and the medical evidence does not support the attraction of section 307 IPC.

Learned State counsel has sought to thwart the effort to get the relief on the grounds of seriousness of the allegations.

Appreciating the arguments, the learned State counsel could not substantiate his contentions as to how offence under section 307 IPC has been brought about. Thus, the very applicability of section 307 IPC being

debatable issue and the petitioner is in custody since 9.6.2016 and the fact that the trial is not likely to be concluded in near future, without adverting to the merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The present petition stands disposed off accordingly.

February 21, 2017
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No