

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

CRM No.M-4160-2017 (O&M)

Date of decision: 20.02.2017

Gurdeep Singh @ Ghala

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Pardeep S. Mirpur, Advocate for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Iqbal Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.36 dated 20.06.2016, registered under Sections 364, 341, 323 and 148 of the Indian Penal Code (for short 'the IPC') read with Section 149 IPC, at Police Station Jaurkian, Distt. Mansa.

It is contended that the allegation against the petitioner in the present FIR is vague and there is no specific role is attributed to him. He allegedly accompanied co-accused, Ajaib Singh. Even as per the case of the prosecution, victim, Gurpreet Singh @ Padda was illegally detained for about ½ hour. No offence under Section 364 IPC is not made out against the petitioner. He is in custody since 20.10.2016.

Custody certificate has been filed in the Court, same is taken on record.

On the other hand, the learned State counsel vehemently opposes the present petition. However, she fairly admits that no specific role is attributed to the petitioner.

Heard.

Considering the facts that the petitioner is in custody since 20.10.2016 and no specific role of abduction and kidnapping is attributed to him, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

20.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No