

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-42295 of 2017 (O&M)

Date of Decision: 16.12.2017

Amarjit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Harchand Singh Batth, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, Assistant Advocate
General, Punjab for the respondent.

Shekher Dhawan, J.

CRM-40629-2017

Criminal Misc. Application is allowed, subject to all just exceptions. Document (Annexure P2) is taken on record.

CRM-M-42295-2017

Present petition under Section 439 Cr.P.C. for seeking pre-arrest bail to the petitioner(s) in case FIR No. 146 dated 21.6.2017, registered under Section(s) 326, 452, 323, 324, 148 & 149 IPC at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner contended that petitioner has been falsely implicated in this case and even as per copy of medicolegal report of the injured, there was only one incised wound with sharp edged weapon and that too was on the non-vital part of the body. Learned counsel

further contended that remaining accused have already been admitted to bail; case is triable by the Magistrate and decision of the case will still take time. So, present petitioner be released on regular bail.

Learned counsel for the respondent-State affirmed the fact that petitioner is in custody since 27.6.2017 and remaining accused are on bail except accused Lovepreet Singh, who has already been declared proclaimed offender. The only incised wound attracts the provisions of Section 325 IPC attributed to the present petitioner and as such, his bail application be dismissed.

Having considered the submissions made by learned counsel for the parties and the fact that petitioner is in custody since 27.6.2017; case is triable by the Magistrate; decision of the case will take sufficient long time and no purpose will be served to further detain the petitioner in custody, therefore, present petition is accepted. Petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate, Tarn Taran.

Nothing stated herein shall be construed to be an expression of opinion on merits of the case.

(Shekher Dhawan)
Judge

December 16, 2017
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No