

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

CRM-M-7069 of 2017.
Decided on:-16.08.2017.

Surjit Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Harpreet Singh Jakhal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J.(ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in the FIR No.152 dated 28.11.2012 under Sections 326/148/149 of the Indian Penal Code and Section 25 of the Arms Act, 1959 registered at Police Station Lambi, District Sri Muktsar Sahib.

Learned counsel for the petitioner states that the present FIR is a counter-blast of earlier FIR No.216 dated 10.09.2011 under Sections 302/307/365/323/148 and 149 IPC registered at Police Station Sadar Dabwali, District Sirsa, in which the complainant of the present case was an accused.

He further states that since the petitioner is a resident of the State of Rajasthan, he was not aware of the proceedings pending in the present FIR. Therefore, he was declared as a proclaimed offender by the trial Court on 10.04.2014. However, since the date of his arrest i.e. 04.01.2017, the

petitioner is in custody. The other co-accused, namely, Surinder Singh Premi, Jeet Singh and Fauja Singh have already been released on bail. The petitioner is ready to face the trial along with other co-accused.

Learned State counsel, on instructions from HC Manjit Singh, states that the injuries on the persons of Jagmeet Singh and complainant Gurcharan Singh were caused by the petitioner and, therefore, he is not entitled to regular bail. However, he has not disputed the fact that the petitioner is in custody since 04.01.2017.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 04.01.2017 and the co-accused, namely, Surinder Singh Premi, Jeet Singh and Fauja Singh have already been released on bail coupled with the fact that the petitioner has shown his inclination to face the trial, the present petition is allowed and the petitioner is ordered to be admitted on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court.

Since the petitioner is a resident of the State of Rajasthan, he shall be required to furnish local surety as well, before the trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

August 16, 2017
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No