

CRM-M-8764-2017

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

CRM-M-8764-2017

Date of Decision: 22.03.2017

Gurwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rahul Rampal, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Gurwinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.09 dated 12.01.2016, registered at Police Station Division No.7, Ludhiana, District Ludhiana, under Sections 307, 323, 427, 148 and 149 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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From the record, I find that it is a case of version and cross-version. The present petitioner has been named in the FIR. He has been stated to be armed with *kirpan* and caused injuries on the forehead of Sonu and on the cheek of Kamal. As per the medical record, no injury, attributed to the petitioner, has been declared dangerous to life. The accused party has also suffered injuries and it is yet to be decided on the basis of evidence by the trial court as to who is the aggressor party.

Moreover, the petitioner has been in custody since 24.08.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

22.03.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No