

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

CRM-M-9565-2017 (O&M)

Date of decision: 28.03.2017

HARSIMRAN SINGH

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. A.P.S. Sandhu, Advocate for the petitioner (s).

Mr. Mehardeep Singh, Addl. A.G., Punjab

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 cross case in FIR No.171 dated 12.08.2012, registered under Sections 307, 452, 324, 323, 148 read with Section 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Lopoke, Distt. Amritsar Rural.

Contents that the present FIR was registered on the statement made by co-accused, Nirmal Singh, father of the present petitioner. It is contended that the complainant party with criminal antecedents, as reflected in Annexure P-9, were aggressors. The shot in question were fired in self defence. The police at the behest of opposite party recorded cross-version without there being any reference entered in the ziminies. Against the recording of the said cross-version, the petitioner moved an application for conducting the inquiry and the inquiry was conducted under the supervision

of the Director General of Police, wherein cross-version allegedly recorded against the petitioner party was found to be false. As on today, there is no cross-version. The PO proceedings against the petitioner were initiated in the cross-version without effecting service upon him.

On the other hand, the learned State counsel vehemently opposes the present petition on the ground that the petitioner has given a gun shot injury which hit the chest, abdomen and leg of injured, Jasbir Singh. He informs that challan has been filed and out of 15 PWs, none has been examined so far.

Heard.

Considering the above and the facts that challan has been presented and out of 15 PWs, no PW has been examined so far, trial is likely to take a long time, 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.

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

28.03.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No