

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

**Criminal Misc. No. M-17582-2018 (O&M)
Date of Decision: 13.07.2018**

Gulab Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parminder Singh, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana.
Mr. Manoj Kumar Taya, Advocate for the complainant.

...

Inderjit Singh, J.

Petitioner-Gulab Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.16 dated 18.01.2017, registered at Police Station Nissing, District Karnal, under Sections 148, 149, 323, 325, 285, 506, 307 and 379B of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel and counsel for the complainant appeared and contested the instant petition.

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

The present petitioner-Gulab Singh though named in the FIR, but no injury has been attributed in the FIR. But as per statement of injured, he is stated to be armed with pharsa and he gave blow of pharsa to Subhash injured witness on his waist, which injury has been declared as simple.

As per the record, no injury has been declared dangerous to life.

The fire shot from the revolver of Gurlal Singh has not hit anybody.

The co-accused Kashmir Singh and Malak Singh, who were armed with iron rods and given simple injury, have already been released on bail by the co-ordinate Bench

The petitioner has been in custody since 15.04.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. Material witnesses have already been examined before the learned trial Court. 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 Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No