

CRM-M-18150-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18150-2018

Date of Decision: 25th May, 2018

Kishan Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Kuljit Singh Bal, Advocate,
for the petitioner.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.308, dated 14.10.2017, registered at Police Station Division-A, District Commissionerate Amritsar, under Sections 307, 336, 148, 149 of the Indian Penal Code and Section 25 of the Arms Act (later on Sections 326, 325, 324 and 323 of IPC were added).

It is the contention of the learned counsel for the petitioner that the petitioner was arrested on 13.01.2018 and as per the allegations in the FIR, *datar* injury on the head of the complainant has been attributed to him, which has been found to be simple in nature. He states that the trial is not likely to conclude in near future. He further contends that the similarly placed co-accused of the petitioner, namely, Harjeet Singh @ Harry has been granted the benefit of regular bail by this Court vide order dated

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08.02.2018 passed in CRM-M-47468-2017, titled as 'Harjeet Singh @ Harry Vs. State of Punjab'. Prayer has, thus, been made for grant of the same relief.

Counsel for the State, on instructions from ASI Baljinder Singh, P.S. Division A, District Amritsar, could not dispute the assertions of the counsel for the petitioner. He, however, opposes the prayer made by the petitioner for grant of regular bail.

Keeping in view the fact that the injury which has been attributed to the petitioner although on the head of the complainant but is simple in nature and co-accused of the petitioner, namely, Harjeet Singh @ Harry has been granted the benefit of regular bail by this Court as also the fact that the trial is not likely to conclude in near future, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

25th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No