

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CRM-M-2864 of 2018

Date of decision: February 01, 2018

Gurpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Harvinder Singh Maan, Advocate
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

Mr. Sonpreet Singh Brar, Advocate
for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

This is the third petition for seeking regular bail in FIR No.111 dated 31.10.2016 under Sections 302, 148, 149, 120-B of Indian Penal Code and Sections 25, 27, 54 & 59 of Arms Act, registered at Police Station Sadar Mansa, District Mansa.

This Court did not grant bail to the petitioner in the earlier two petitions for the reason that the complainant-eye witness was not examined.

For my perusal, learned counsel for the parties have produced before me the evidence of the eye witness.

Perusal of the statement of PW-3-complainant shows the role attributed to the petitioner.

Learned counsel for the complainant vehemently opposed the petition for grant of regular bail on the ground that the trial is continuing and submits that the petition for bail should be rejected as the trial will be completed soon.

In my opinion, having gone through the evidence, I find that

the attribution to the petitioner is that he was armed with danda like co-accused Sikander Singh @ Babbu, who was granted bail by this Court vide order dated 12.07.2017 passed in CRM-M-23202 of 2017.

Looking to the fact that the petitioner has been in custody for over a period of one year, three months and that the evidence of the eye witness has been recorded, I think the petitioner should be released on regular bail, subject to the following conditions:-

- (i) The **CRM-M-2864 of 2018** is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (iv) The petitioner would file an undertaking to the trial Court that he will not commit the same or any other kind of offence in future.
- (v) Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.
- (v) In case, the petitioner violates the above said conditions, this order of bail comes to an end automatically without reference to this Court.

(A.B. CHAUDHARI)
JUDGE

February 01, 2018

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No