

**Sr. No.203
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No.M-30848 of 2018 (O&M)

Date of Decision: 27.07.2018

Kulwinder Singh alias Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Shubhankar Baweja, Advocate for
Mr. Harneet Oberoi, Advocate,
for the petitioner.

Mr. T.P.S.Chawla, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.122 dated 19.12.2016, under Sections 307, 326, 324, 323, 506, 34 IPC, registered at Police Station Lahori Gate, Patiala.

FIR was registered on the statement of complainant Sarabjeet Singh @ Kinni in relation to an alleged occurrence dated 19.12.2016. Case of the prosecution was that the present petitioner had inflicted knife blows on the person of Harwinder Singh @ Happy as also one Amandeep Singh @ Avni.

The previous petition filed under Section 439 Cr.P.C. at the hands of the present petitioner i.e. CRM No.M-9324 of 2018 did not find favour of this Court and was dismissed on 28.03.2018.

Counsel for the petitioner has, however, adverted to subsequent developments that have taken place to justify the filing of the instant petition.

Counsel for the petitioner submits that complainant Sarabjeet Singh @ Kinni as also injured Amandeep Singh @ Avni have since been examined before the trial Court and have not supported the prosecution version. Such contention is not rebutted by State counsel who is on instructions from ASI Angrez Singh, Police Station Lahori Gate, Patiala.

This Court has also been apprised that Harvinder Singh @ Happy i.e. one of the injured has died during the course of trial.

Petitioner has faced incarceration since 28.12.2016.

Material witnesses already stand examined before the trial Court.

In view of the above and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

27.07.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No