

Sr. No.212

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

**CRM-M-31430-2018
Date of decision:5.12.2018**

Bikramjit Singh @ Bikram Singh

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. PBS Goraya, Advocate
for the petitioner.

Mr. Hitten Nehra, Addl.AG, Punjab.

Mr. Akshay Sandhir, Advocate
for the Complainant.

Rajbir Sehrawat, J(Oral)

Present second petition has been filed for seeking bail pending trial in FIR No.113, dated 18.07.2017 for the offences punishable under Sections 307/323/324/452/326/148/149 IPC registered at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner contends that after the first petition for bail pending trial was dismissed, most of the relevant evidence of the prosecution has already been led. Therefore, the second bail pending trial petition is being pursued by the petitioner.

On merits of the case, learned counsel for the petitioner contends that it was a fight between the members of the same family. Even as per the best case of the prosecution, the petitioner is attributed injury on non-vital parts of the injured. The petitioner is in custody since 21.07.2017. There is no other case against the petitioner. Even the main evidences have

already been completed. Therefore, there is no possibility of petitioner influencing any witness.

On the other hand, learned State counsel submits that case involves a serious offence under Section 307 IPC. Therefore, the petitioner do not deserve any concession of bail. However, it is not denied that main witnesses of the prosecution, namely, the Complainant, the injured and the Investigating officers; including ASI Dilbagh Singh have already been examined.

Learned counsel for the Complainant submits that the petitioner was part of an unlawfull assembly; who have entered into the house of the complainant and caused grievous injuries. Therefore, the petitioner does not deserve any concession of bail.

Be that as it may, the fact remains that the main evidence of the prosecution has already been led. The petitioner is in custody for more than 1½ year now.

In view of the above, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

5th December, 2018

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*