

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

CRM-M-34657-2017 (O&M)

Date of decision: 15.01.2018

Gurpreet Singh @ Gopi

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. T.S. Manes, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.117, dated 07.08.2016, under Sections 307/452/323/324/506/148/149/427 IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Sadar Jagraon, District Ludhiana.

FIR came to be registered on the statement of Kewal Singh S/o Sarwan Singh in relation to an alleged occurrence dated 06.08.2016 during late evening hours. Complainant alleged that when his sons Satnam Singh and Surinder Singh were preparing to close the shop then the present petitioner along with co-accused, Harmanjit Singh, Hardeep Singh, Jaspreet Singh, Harinderpal Singh, Honey Singh as also 8-9 other unknown persons, who were armed entered the shop and attacked Satnam Singh. Thereafter, even wife of the complainant, Manjit Kaur was also assaulted and inflicted injuries.

Insofar as the present petitioner is concerned, the attribution is of an iron rod blow on the head and left shoulder of Satnam Singh.

Petitioner was arrested on 21.02.2017.

Learned State counsel, who is on instructions from HC Darshan Singh concedes that there is no opinion from the doctor as regards any injury on the person of Satnam Singh and which may have been opined to be dangerous to life. It has further gone uncontroverted that during the course of trial, the complainant, Kewal Singh as also injured Satnam Singh and Manjit Kaur have been examined and they have not supported the prosecution version.

In view of the above and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of regular bail.

Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Ludhiana.

It is, however, clarified that the observations contained in this order are confined only as regards considering the prayer for grant of regular bail and would have no bearings on the merits of the case.

15.01.2018

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |