

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

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**CRM-M No. 38063 of 2018
Date of Decision: 12.10.2018**

Khushal Singh**.....Petitioner****v.****State of Punjab****.....Respondent****CORAM HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present:- Mr. Vikas Gupta, Advocate, for the petitioner
Mr. Amandeep Singh Gill, DAG, Punjab
Mr. Inder Pal Singh, Advocate, for the complainant

RAMENDRA JAIN, J.

Through this petition, filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Khushal Singh in a case arising from FIR No. 225 dated 5.12.2015, registered under Sections 307/324/325/148/149 IPC and Section 25 of Arms Act, at Police Station Sadar, Tarn Taran.

In nutshell, the petitioner was booked in the aforesaid FIR but he kept on managing his arrest. Therefore, he could not be arrested despite best possible efforts and was declared proclaimed offender by the Court concerned. Finally, police succeeded in arresting him on 7.6.2018 and now the petitioner is in custody and facing trial.

According to the prosecution, on 3.12.2015, the petitioner along with two accomplice caused injuries to complainant-Gurjit Singh with sharp edged weapon. Even co-accused Jugraj Singh fired upon the complainant from his double barrel .12 bore gun. As a result thereof, the complainant suffered

multiple grievous injuries on his person falling under Section 307 IPC.

Learned counsel for the petitioner contends that the injury attributed to the petitioner is not on the vital part of the complainant. Conclusion of trial may take sufficient long time. No recovery is to be effected from the petitioner. No useful purpose will be served by keeping the petitioner behind the bars. Main accused Jugraj Singh has been granted regular bail by this Court vide order dated 20.8.2018 (Annexure P-4) passed in CRM-M No. 16652 of 2018. Therefore, treating the case of the petitioner on same parity of the main accused Jugraj Singh, the petitioner be enlarged on bail.

On the other hand, learned State counsel assisted by the learned counsel for the complainant vehemently opposed the application for grant of bail to the petitioner.

Having given thoughtful considerations to the submissions made by both the sides, but without commenting on the merits of the case, the petition is allowed. Consequently, treating the case of the petitioner at par with his co-accused Jugraj Singh, already enlarged on bail, the petitioner is also ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

(RAMENDRA JAIN)
JUDGE

12.10.2018

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No