

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4172-2018 (O&M)

Date of Decision: 06.02.2018

Kinderbir Singh @ Sunny

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Ashish Aggarwal, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case D.D.R. No.16 dated 28.7.2017 under sections 307, 506, 148, 149 I.P.C and sections 25, 27, 54, 59 of Arms Act (section 201 I.P.C was added later on), registered at Police Station, Harike, District Tarn Taran in case FIR No.78 dated 27.07.2017 under sections 307, 506, 148, 149 I.P.C and sections 25, 27, 54, 59 of Arms Act, registered at Police Station, Harike, District Tarn Taran.

Learned counsel for the parties have been heard.

Counsel submits that it is a case of version and cross-version.

The date of occurrence is alleged to be 27.7.2017. Even though, D.D.R was recorded on the statement of complainant Jaspreet Singh as regards a .31 bore gun having been used by the present petitioner and a fire arm injury having been suffered in the hip area, yet, the document at Annexure P-3 has been adverted to to contend that complainant Jaspreet Singh had been admitted to Amandeep Hospital on 27.7.2017 and discharged on the same very date on account of a gun shot injury on the

right side of the chest. Furthermore, placed on record at Annexure P-4 is a certificate issued by the general surgeon of Amandeep Hospital certifying the injury suffered by complainant Jaspreet Singh to be not dangerous to life.

Petitioner was arrested on 11.9.2017.

Investigation in the case is complete and the challan already stands presented. Trial is at the initial stage and would take time to conclude.

In the totality of circumstances and without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, concerned.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.02.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No