

CRM-M-43208-2018

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

CRM-M-43208-2018

Date of Decision: 17.10.2018

Surjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vikas Sonak, Advocate for
Mr. A.S.Sekhon, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this 4th petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.54 dated 06.08.2015, registered at Police Station Smalsar, District Moga, under Sections 323, 325, 336, 148 and 149 of the Indian Penal Code, Sections 25 and 27 of the Arms Act, 1959 and Section 307 of the Indian Penal Code added later on.

Notice of motion was issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

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From the record, I find that the present petitioner is named in the FIR and stated to be armed with *kirpan*. He is the main accused and has caused injury dangerous to life on the head of Satnam Singh.

However, the petitioner has been in custody since 07.08.2015 i.e. for the last more than three years. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

17.10.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No