

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 43240 of 2018(O&M)

Date of decision : October 5, 2018

Arshdeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Anmol Partap Singh Mann, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG., Punjab.

RAMENDRA JAIN, J (oral).

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner Arshdeep Singh in a case arising from FIR No.182 dated 27.10.2017 registered under Sections 302,323,324,148,149 IPC, 1860 and 25 of the Arms Act, 1959 at Police Station Ajnala, District Amritsar Rural.

According to the prosecution the petitioner is facing trial on the basis of allegations in the FIR that in the evening of 27.10.2017, the petitioner along with his accomplice caused multiple grievous injuries to father of the petitioner-Bhagwan Singh, Uncle-Jagdev Singh and Cousin Dharampal Singh. As a result thereof, Jagdev Singh, uncle of the complainant succumbed to his injuries.

Learned counsel for the petitioner contends that the petitioner has attributed a datar blow at the right bicep of the deceased

which has been proved to be false inasmuch as in the FIR, it has been mentioned that three injuries were caused on the right bicep of the deceased, whereas in the postmortem report only two injuries are found to have been suffered by him. The injury attributed to the petitioner is not on the vital part of the deceased. Therefore, the same has not resulted into his death. The prosecution witnesses are intentionally evading their presence by not accepting the service of Court notice. The petitioner is in custody since 8.11.2017.

On the other hand, learned counsel for the State has opposed grant of regular bail to the petitioner.

Having considered the submission made by both the sides and the fact that the prosecution witnesses are absconding; the proceedings for declaring them Proclaimed Offenders have been initiated; that the petitioner is in custody since 8.11.2017 and the trial is not likely to be concluded at an early date, no useful purpose would be served by keeping the petitioner in judicial custody. In such circumstances, I deem it appropriate to allow this petition and grant regular bail to the petitioner.

Consequently, the petition is allowed. Petitioner-Arshdeep Singh is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(RAMENDRA JAIN)
JUDGE

October 5, 2018
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No