

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
2018.01.18 17:52
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CRM-M-44010-2017(O&M)
Date of decision:18.01.2018

Bikramjit Singh @ Bikkar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Prateek Pandit, Advocate, for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.245, dated 04.10.2017, under Sections 307, 353, 332, 333, 186, 427 and 34 IPC, registered at Police Station City District Kapurthala.

Learned counsel for the petitioner submits that the petitioner is in judicial lock up since 04.10.2017 and is not involved in any other case. He further submits that as per allegation in the FIR, on the basis of some information received by the police that two clean shaven persons on black pulsar motorcycle, are roaming in the city with an intention to commit an offence of snatching/robbery, the petitioner along with his accomplice were stopped, which resulted into altercation between the petitioners and the police officials and the FIR was registered. Learned counsel for the petitioner further submits that as per MLR, injuries sustained by both the injured persons are simple in nature and it is a debatable issue whether offence under Section 307 IPC is made out or not as the petitioner along with his accomplice were stopped by the police party randomly.

It is further submitted that the investigation is complete, challan has been presented before the Court and it will take long time to conclude the trial.

Learned State counsel, on instructions from ASI Gurmail Singh, has shown the MLR, in which the injuries sustained by the injured are simple in nature. However, he has opposed the bail on the ground that the petitioners have attacked on the police officials.

Without commenting on the merits of the case, considering the fact that the petitioner is the first offender; he is in judicial lock up since 04.10.2017; investigation is complete and conclusion of the trial will take long time, the petitioner is ordered to be released on regular bail subject to his furnishing bail /surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

(ARVIND SINGH SANGWAN)
JUDGE

18.01.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No