

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51009-2018 (O&M)

Date of decision:26.11.2018

Kulwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Preetinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed for seeking bail pending trial in FIR No.63 dated 05.07.2018 for the offences punishable under Sections 323, 341, 506, 34 of IPC (Section 307 of IPC added later on), registered at Police Station Rureke Kalan, District Barnala.

Counsel for the petitioner contends that in this very case, the petitioner was earlier granted concession of bail pending trial. There is no allegation of misuse of the concession of bail on the part of the present petitioner. The necessity has erosion for seeking bail again because subsequently, Section 307 IPC has also been added in this case and because of that, the petitioner was taken into custody. It is further contended that the petitioner is not having any other case against him.

On the other hand, learned State counsel, being instructed by ASI Hakam Singh, submits that since the injury caused by the petitioner has been declared to be dangerous to life, therefore, the petitioner should not be released on bail. However, it is not disputed that in this very case, the petitioner was earlier released on bail and that there is no complaint of any

misuse of the concession of bail by the petitioner. The fact that there is no

other case against the petitioner also is not disputed by the learned State counsel.

In view of the above, without commenting on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing his bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

26.11.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No