

CRM-M-53791-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53791-2018

Date of Decision:11.12.2018

Sukhwinder Singh alias Sukha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Kamaldeep Kaur, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.116 dated 29.05.2017, registered at Police Station Beas, District Amritsar, under Sections 307, 379 and 34 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has 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.

From the record, I find that when the complainant was sleeping in night, then two *Nihangs* came on a Bolero and started loading coconuts in their vehicle. When the complainant tried to stop them, one of the *Nihangs*/accused attacked him with *datar* on his left

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arm. When he (complainant) fell down, then another *Nihang*/accused gave beatings to him with *datar* with an intention to kill him. There is also allegation that the accused had also taken away ₹20,000/-.

Learned State counsel has stated that no injury has been declared dangerous to life.

The petitioner has been in custody since 29.05.2017. 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.

11.12.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No