

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

CRM-M-1380-2019
Date of decision: 01.04.2019

Gagandeep

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Parveen Kumar Garg, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Shakti Mehta, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 117 dated 27.12.2016, under Sections 341, 323, 325, 201, 148, 149, 506 of the IPC (Section 307 IPC added later on), registered at Police Station Ghagga, District Patiala. The first petition was dismissed as withdrawn 06.09.2018.

Learned counsel for the petitioner submits that the present petition has been filed considering the long custody of the petitioner and in view of the fact that investigation is complete and challan has been presented.

Learned counsel for the petitioner has argued that it is a case of version and cross-version and in the cross-version, even the petitioner was injured and has relied upon MLR (Annexure P-4).

Learned counsel for the petitioner has further submitted that other co-accused of the petitioner have already been granted concession of anticipatory bail.

In reply, learned State counsel, on instructions from ASI Nirmal Singh, could not dispute that petitioner is in judicial custody for the last one year and four months and submitted that challan stands presented and the case is now fixed for framing of charge.

Learned State counsel, on the basis of the opinion given by the medical board, further submitted that injury sustained by victim-Tanveer Singh was declared dangerous to life and this injury was attributed to petitioner and another victim Sukhjinder Singh has sustained simple injuries as well as one grievous injury i.e. injury No. 5.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody for the last one year and four months and conclusion of the trial is likely to take a long time as the case is still at the stage of framing charge, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

01.04.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No