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

**CRM-M-3307 of 2019**

**Date of decision: May 15, 2019**

Gurmeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:** Mr. Bipan Ghai, Senior Advocate with  
Mr. Deepanshu Mehta, Advocate for the petitioner.

Mr. C.L. Pawar, Senior DAG Punjab.

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**MAHABIR SINGH SINDHU, J (Oral)**

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.79 dated 02.10.2018, under Sections 341, 427, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') (other offences added vide DDR No.25 dated 23.10.2018, under Sections 307, 506, 34 of IPC and Section 25/27/54 of Arms Act, 1959, registered at Police Station Sadar Ahmedgarh, District Sangrur.

It is contended by the learned Senior counsel for the petitioner that the petitioner is in custody since 13.11.2018 and after investigation, report under Section 173 of Cr. P.C. has been submitted, on 09.02.2019. Also contends that as a matter of fact, petitioner was waylaid by the complainant side, on 02.10.2018, at about 4:15 P.M., when he reached near Grid of village Lasoi. Also contends that it is the complainant side, who were the aggressors in this case.

On the other hand, learned State counsel as well as learned

counsel for the complainant opposed the bail petition while submitting that it is the petitioner side who were the aggressors along with his companions and as a matter of fact, on the fateful day at about 4:15 P.M., they were encircled by the petitioner side when they were going home and reached near T-Point of Grain Market, Lasoi.

Heard learned counsel for the parties and perused the paper book.

Since occurrence is not disputed by either side and both parties are facing prosecution in FIR as well as DDR, i.e. version and cross-version. FIR was lodged by petitioner side on 02.10.2018; whereas the cross-version, i.e. DDR is registered on 03.10.2018. In view of the above, it would be preposterous to comment about the aggressor in this case; consequently, no useful purpose will be served by keeping the petitioner behind bars any more.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

**May 15, 2019**

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **Yes**