

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-4981-2019

Decided on: March 27, 2019.

GURDEEP SINGH

.... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. I.P.S. Kohli, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. K.S. Brar, Advocate
for the complainant.

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SUDHIR MITTAL, J, (Oral)

The petitioner seeks regular bail in case FIR No. 68 dated 16.07.2017 registered at Police Station Sadar Abohar, District Fazilka, under Sections 302, 364, 325, 324, 323, 148 and 149 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than a year and half. The trial is not likely to be concluded at an early date as only 03 PW has been examined out of 20 PWs. There is no other criminal case pending or decided against him and thus, he may be released on regular bail. The case of the petitioner is on a better footing than that of co-accused who has already been granted regular bail.

The custody certificate dated 26.03.2019 prepared by Vipanjit Singh, Deputy Superintendent, Central Jail, Ferozepur has been filed in the Court today. The same is taken on record. According to the said custody

certificate the petitioner has already undergone 01 year 07 months and 27 days and there is no other case pending against him.

Learned State counsel does not dispute the factual submissions made by the learned counsel for the petitioner. However, it is submitted that the petitioner and other co-accused had tied the deceased person and given serious injuries to him resulting in his death. It is also stated that the complainant suffered a supplementary statement in which the petitioner is also named amongst the persons who inflicted the injuries upon the deceased. The said injuries were on the thigh and elbow.

Even if the supplementary statement of the complainant is accepted, the injuries allegedly inflicted by the petitioner are on non-vital parts of the deceased person. Thus, the case of the petitioner is on a better footing than that of other co-accused-Pardeep Singh who has been granted regular bail.

Thus, keeping in view the fact that the petitioner has been in custody for about 01 year 07 months and 27 days now and that trial is not likely to be concluded at the early date, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Gurdeep Singh, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

March 27, 2019.

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No