

Crl. Misc. No. M-37657 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-37657 of 2018

DATE OF DECISION:08.01.2019

Gagandeep Singh @ Gaggu

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. JS Dadwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. SPS Gill, Advocate
for the complainant.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed by petitioner-Gagandeep Singh @ Gaggu for grant of regular bail to him in case FIR No. 192 dated 14.8.2017 registered under Sections 307,148,149,506 IPC and Section 326 IPC added later on at Police Station Shimlapuri, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the case, whereas, no offence is made out under Section 307 IPC as the injury caused was grievous but not dangerous to life. Learned counsel further contends that material witnesses including the injured as well as complainant have been examined. The petitioner is in

custody since 21.8.2017 and no purpose would be served by keeping him behind the bars as trial may take long time to conclude.

Learned counsel for respondent-State has opposed grant of regular bail to the petitioner on the ground that thirteen cases including the present one are there against the petitioner.

On the other hand, learned counsel for the petitioner has supplied details of aforesaid thirteen cases, wherein, it has been reflected that the petitioner is on bail in seven cases, in two cases he has been acquitted, in one case compromise has been effected between the parties, in one case inquiry is pending, one case is pending for 18.1.2019 and thirteenth case is the present one.

Learned counsel for the complainant has vehemently opposed the submissions made by learned counsel for the petitioner by stating that threat has been given to the complainant and pressure is being put upon him to effect compromise. He further contends that the petitioner does not deserve the concession of bail as he is a habitual offender and is involved in number of cases.

Learned counsel for the respondent-State submits that no such complaint has been received from the complainant.

Heard the arguments advanced by learned counsel for the parties and have also gone through the documents available on the file.

Without commenting anything on the merits of the case and keeping in view the custody of the petitioner, which is more than one year and four months and also the fact that total 11 prosecution witnesses are there; injured and complainant have been examined and trial may take long time to conclude, the present petition is allowed. Petitioner-Gagandeep

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Singh @ Gaggu is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

However, in case any threat is there to the complainant, he is at liberty to make representation to the police authority or approach this Court for cancellation of bail.

It is also directed that in case any representation on behalf of the complainant is received by the police authorities, the same be considered in accordance with law.

January 08, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No