

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-19547-2019(O & M)

Date of Decision: 24.05.2019

GURWANT SINGH @MANGA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Bikramjit Aurora, Advocate
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 52, dated 06.06.2018, under Sections 302, 148, 149 IPC and Section 25 of the Arms Act, registered at Police Station Kamboj, District Amritsar, lateron added offences under Sections 120-B IPC and Section 27 of the Arms Act.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it was alleged that Gurjant Singh had fired a shot and he was accompanied by Garpinder Singh and Simar. Four-five unidentified persons were also standing there. He further contends that the petitioner was arraigned as an accused on the statement of the complainant Mehar Singh, who is the brother of the deceased. However, both Mehar Singh (PW-1) and Balwinder Singh (PW-2) in their deposition have not supported the prosecution case and have not named the petitioner. The petitioner is not involved in any other case. He is in custody for over six months.

Learned State counsel upon instructions from HC Baldev Singh is not in a position to controvert the averments made by the counsel for the petitioner and states that 04 out of 33 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is not named in the FIR and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

May 24, 2019

A.Kaundal

Whether speaking/ reasoned:	Yes/No
Whether Reportable :	Yes/No