

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-20847 of 2019 (O&M)

Date of decision: 22.07.2019

Gurwinder Singh @ Kalu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail in FIR No.103 dated 08.07.2018 under Sections 341, 323, 506, 148, 149 of the Indian Penal Code (Section 302 IPC added later on), Police Station Dirba, District Sangrur.

Learned counsel for the petitioner contends that the petitioner is one of the 11 accused who have been falsely implicated. He further submits that the petitioner is shown in possession of a Soti (wooden stick) and no specific injury has been attributed to the petitioner. He has drawn attention of the Court to the medico legal report in which deceased is shown to have suffered 3 injuries. Learned counsel further submits that none of the injury is attributed to the petitioner and he is in custody for more than a year.

The investigation has been completed, challan has been

presented and the case is now fixed for prosecution evidence, however, trial of the case is being delayed as application under Section 319 of the Criminal Procedure Code has been filed for summoning additional accused by the first informant.

On the other hand, learned State counsel has opposed the application for bail on the ground that name of the petitioner is specifically mentioned in the FIR.

Without commenting on the merits of the case and keeping in view the fact that the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sangrur.

Accordingly, the present petition is allowed.

22.07.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No