

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

CRM-M-23056-2019
Date of decision: 27.05.2019

Chhinderpal @ Surinderpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Prashant Vashisth, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

Mr. Mohit Vashisth, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 121 dated 28.08.2016, registered under Sections 302, 323, 324, 148 and 149 of the IPC at Police Station Macchiwara Sahib, Ludhiana.

Learned counsel for the petitioner submits that during investigation, the petitioner was found innocent and was kept in Column No. 2 while submitting the report under Section 173 Cr.P.C. Thereafter, statement of PW-2 Chanan Singh was recorded and the prosecution moved an application under Section 319 Cr.P.C. and the petitioner was summoned as an additional accused, subsequent to which, the petitioner surrendered before the Court and prayed for grant of regular bail.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody since 18.03.2019 and it will be a debatable

issue during the course of trial whether the guilt of the petitioner is proved.

Learned State counsel, on instructions from ASI Jarnail Singh, assisted by learned counsel for the complainant, has, however, opposed the prayer of the petitioner on the ground that there are serious allegations against the petitioner.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner was summoned as an additional accused and after summoning, he had surrendered immediately before the Court, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

27.05.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No