

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

CRM-M No.9725 of 2018

Date of Decision: 10.01.2019

Gurmeet Singh @ TC

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. P.S. Dhaliwal, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to petitioner, namely, Gurmeet Singh @ TC in case FIR No.70 dated 12.10.2016 registered under Sections 302, 307, 324, 341/34 IPC at Police Station Bhadaur, District Barnala.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case at the instance of the complainant.

As per allegations in the FIR, accused Satvir Singh @ Rana and Yadwinder Singh encircled the complainant and his brother. The petitioner was having sharp thing like knife, Satvir Singh @ Rana was having baseball and Yadwinder Singh was having stick and all of them gave injuries to both the brothers. Learned counsel also submits that the petitioner gave blow with sharp thing on the flank, shoulder and neck and caused the sharp thing blow to Jaskaran Singh and also caused stick blow on the shoulder of Azad Singh. No injury has been caused by the petitioner and other co-accused with an intention to cause death. The petitioner is in custody

since 12.10.2016 and all material witnesses have been examined. Learned counsel also submits that co-accused of the petitioner, namely, Satvir Singh @ Rana and Yadwinder Singh have been released on regular bail prior to one year.

Learned State counsel has not disputed the custody period as well as release of two co-accused on bail.

Learned counsel for the complainant has opposed the bail of the petitioner on the ground that the petitioner is the main accused and fatal injuries have been attributed to him.

Heard the arguments of learned counsel for the parties and have also perused the contents of the FIR as well as other documents available on the file.

By considering the custody of the petitioner since 12.10.2016 and also the fact that two co-accused have been released on regular bail; as per allegations in the FIR, the injuries have been caused by three accused but it cannot be said that the death has occurred due to injuries attributed to the petitioner as it is a matter of evidence which shall be tested by the trial Court, all material witnesses have been examined and still the trial may take some time to conclude as there are total 24 witnesses, out of which, 07 witnesses have been examined and 03 witnesses have been given up, the present petition is allowed and petitioner, namely, Gurmeet Singh @ TC is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

10.01.2019

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No