

CRM-M-28976-2019

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

CRM-M-28976-2019

Date of Decision: 27.08.2019

Balwinder Ram alias Binda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Swarn Tiwana, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. L.S.Sekhon, Advocate,
for the complainant.

INDERJIT SINGH, J.(Oral)

Petitioner has filed this 4th petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in a cross-case DDR No.19 dated 21.04.2017, under Sections 307, 341, 427, 148 and 149 of the IPC, Section 25 of the Arms Act, 1959 and added offences under Sections 201/34 of the IPC, registered at Police Station Jhunir, in an FIR No.33 dated 20.04.2017, registered at Police Station Jhunir, District Mansa, under Sections 302, 307, 427, 148 and 149 of the IPC and Sections 25 and 27 of the Arms Act, 1959 and Section 3(2) of the SC/ST Act, 1989 (Amendment Act, 2015).

Notice of motion was issued. Learned State counsel has appeared on behalf of the respondent-State and complainant has also

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appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

From the record, I find that it is a case of version and cross-version. The FIR is under Section 302 of the IPC etc. and cross-case is under Section 307 of the IPC etc. The present petitioner is named in the cross-version. He is stated to be armed with fire-arm weapon and injury with fire-arm weapon has been attributed to him.

The petitioner has been in custody for the last more than two years and three months. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

27.08.2019

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

**(INDERJIT SINGH)
JUDGE**

Yes

No