

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

CRM-M No.31784 of 2019 (O&M)
DATE OF DECISION : 10th DECEMBER, 2019

Sukhvir Singh @ Tundi

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Deepak Gupta, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

CRM-36552-2019

This is application under Section 482 Cr.P.C. for adding Sections 325 & 427 IPC and Section 30 of the Arms Act, in the head note and prayer clause of the petition, which are subsequently added in this FIR.

Learned counsel for the State has submitted that he has no objection if the application is allowed.

For reasons mentioned in the application and in view of no objection from the State, the same is allowed as prayed for.

The Registry to amend the head note and the prayer clause of the petition accordingly.

CRM-M No.31784 of 2019

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.40 dated 07.03.2019 registered under Sections 307, 450, 323, 148 & 149 IPC and

Section 25/27 of Arms Act (Sections 325 & 427 IPC and Section 30 of the Arms Act, added later on), at Police Station Canal Colony, District Bathinda.

It is contended by counsel for the petitioner that although Section 307 IPC has been added in the case, however, there is no fire arm injury sustained by any person in this case. Even qua the other injuries, if any, only Section 323 IPC has been alleged. The petitioner is in custody since 07.04.2019. The challan has been presented. Therefore, the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the State, being instructed by HC Tarsem Singh, has not disputed that there is no fire arm injury received by any person in this case. It is also not disputed that the petitioner is in custody since 07.04.2019 and that challan has already been presented.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

10th DECEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>