

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

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CRM-M-43243-2019(O & M)

Date of Decision:18.10.2019

Sukhwinder Singh @ Gagga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manpreet Ghuman, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.137 dated 01.12.2018, under Sections 307, 324, 323, 506, 427, 341, 148, 149, 120-B IPC, 1860 and Sections 326, 201 and 34 IPC added later on, registered at Police Station Tappa Mandi, District Barnala.

The FIR was registered on the statement of Jaspreet Singh @ Jassi wherein he stated that on 30.11.2018, he along with his friend, namely, Gursewak Singh went to meat shop. His friend was sitting in the car, suddenly one Kuldeep Singh @ Billa along with his companions armed with deadly weapons came there and attacked on the complainant. On raising alarm, all assailants ran away from the spot.

Learned counsel for the petitioner contends that the petitioner is not attributed any injury to the complainant. It is pointed out that the injury inviting the punishment under Section 307 IPC is attributed to Kuldeep Singh who inflicted iron dah injury on the hand of the victim. Learned counsel further submits that the petitioner is in custody since his date of

arrest i.e. 17.12.2018 and the investigation of the case is complete. There is no other case against the petitioner. Therefore, further custody of the petitioner may not be justified. He further contends that the co-accused of the petitioner has already been granted the concession of regular bail by this Court in CRM-M-36331-2019 on 06.09.2019.

On the other hand, learned State counsel assisted by ASI Sarabjit Singh opposed the bail application. It is not disputed that the petitioner is not attributed any injury and the co-accused of the petitioner has already been granted the concession of regular bail by this Court. He submits that the complainant, namely, Jaspreet Singh has been examined.

After hearing learned counsel for the parties, this Court finds that the further custody of the petitioner may not be necessary, as the trial is likely to consume considerable time. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

18.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No