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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64498-2018

Date of decision-27.08.2019

Gurbeant Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Digvijay Nagpal, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.AG., Punjab assisted by
ASI Harjinder Singh.

MANOJ BAJAJ, J.

Petitioner-Gurbeant Singh has prayed for grant of regular bail in case FIR No.125 dated 02.12.2017 (Annexure P-1) registered under Sections 307, 120-B and 427 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Chhajali, District Sangrur. The petitioner is in custody since his arrest on 30.07.2018.

The FIR was registered on the statement Ajaib Singh wherein the allegations of firing were made against the petitioner and his co-accused who had fired three shots on the car. The petitioner was travelling in the car along with two other companions. However, none of the shot fired hit the occupants of the car.

Learned counsel for the petitioner contends that the petitioner is in custody since his arrest on 30.07.2018 and other co-accused have been granted the concession of anticipatory bail. He submits that the charges are

yet to be framed and the further custody of the petitioner may not be justified particularly when no injury is caused to the complainant or to any other person.

On the other hand, learned State counsel assisted by ASI Harjinder Singh opposed the bail application on the ground that the petitioner is involved in several other cases also. However, it is not disputed that charges are yet to be framed and the case is fixed for 29.08.2019 for the said purpose before the trial Court. According to him, there are 28 witnesses who are to be examined in support of the prosecution case.

Considering the above background and the fact that the trial of the case is likely to consume considerable time, this Court does not find any valid reason to detain the petitioner any further in custody. 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, Sangrur.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

27.08.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No