

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

CRM-M-56777-2018 (O&M)

Date of decision : 21.05.2019

Tarun Kumar @ Tarun Partap

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Dr. Anmol Rattan Singh Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab alongwith
Mr. H.S. Bhullar, SSP, IPS, Mohali and
Mr. Harjinder Singh, ASI, Investigating Officer.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail to the petitioner in cross case vide DDR No.40 dated 22.04.2016 registered under Sections 307, 323, 324, 148, 149 of the Indian Penal Code (Sections 302, 325 and 201 of the Indian Penal Code added later on) in FIR No.81 dated 21.04.2016 at Police Station Dera Bassi, District SAS Nagar, Mohali.

Learned Senior Counsel for the petitioner contends that the petitioner is in custody since 11.12.2017 and it is the case of version and cross-version. Originally, on the statement of Manish Kumar which belongs to the party of the petitioner, FIR No.81 dated 21.04.2016 was registered. Thereafter, on 22.04.2016, cross-version was registered on the statement of

Raman Kumar who had attributed firearm injury at the hands of the petitioner to Rinku and Megh Raj whereas in the investigation, no firearm injury is found on Rinku and Megh Raj. He further submits that investigation is complete, challan has been presented and it is still required to be adjudicated as to which of the party is aggressor.

On the other hand, learned counsel for the State on instructions from Harjinder Singh, ASI, Investigating Officer does not dispute that there is no firearm injury on the person of Rinku and Megh Raj.

Without commenting on the merits of the case and keeping in view the fact that investigation is complete and the conclusion of the trial is likely to take time, petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, SAS Nagar, Mohali.

Accordingly, the present petition is allowed.

21.05.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No