

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

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**CRM-M No. 52622-2019 (O&M)
Date of decision: 17.12.2019.**

Balwinder Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Joginder Pal Devgan, Advocate for the petitioner.

Mr. M.S. Nagra, Assistant Advocate General, Punjab

HARNARESH SINGH GILL, J. (ORAL)

At the outset, counsel for the petitioner states that inadvertently Section 326 IPC was not mentioned in the petition and thus the Sections in the petition be read as “Sections 307, 323, 324, 326, 379, 382, 148, 149 IPC and Sections 25 and 27 of the Arms Act”.

Registry is directed to add Section 326 IPC in the petition regarding which counsel for the petitioner has moved an application (CRM-39816-2019) which has not been listed today.

CRM-M-52622-2019

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.31 dated 03.05.2014, registered under Sections 307, 323, 324, 326, 379, 382, 148, 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Harike, District Tarn Taran, Punjab.

Learned counsel for the petitioner contends that the dispute was regarding provincial Government land and in the FIR, 37/38 persons have

been arrayed as accused. He further states that co-accused Sukhwinder Singh, Kuldeep Singh and Dilbag Singh have already been granted bail by this Court vide order dated 01.11.2019 and 15.11.2019 (Annexure P2).

On the instructions from ASI Paramjit Singh, learned State counsel contended that the petitioner was declared proclaimed offender before the trial Court and thereafter, he was arrested and now facing trial. He does not dispute the factum that co-accused Sukhwinder Singh, Kuldeep Singh and Dilbag Singh have already been granted bail by this Court vide order dated 01.11.2019 and 15.11.2019 (Annexure P2).

I have heard the learned counsel for the parties. The petitioner is in custody since 09.08.2019, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars. Moreover, co-accused Sukhwinder Singh, Kuldeep Singh and Dilbag Singh have already been granted bail by this Court vide order dated 01.11.2019 and 15.11.2019 (Annexure P2).

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

17.12.2019

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Whether reasoned/speaking?
Whether reportable?

Yes
No