

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

CRM-M-52376-2019

Date of decision : 13.12.2019

GURCHARAN SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amandeep Singh Jawandha, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure(in short 'Cr.P.C.') in FIR No.194 dated 20.08.2017, under Sections 307, 326, 323, 324, 379, 452, 506, 148, 149 IPC read with Sections 25, 27, 54, 59 of Arms Act, 1959, registered at Police Station Sadar, Ludiana, District Ludhiana.

Counsel for the petitioner submits that the petitioner has been in custody since 16.06.2019. The investigation is complete and petitioner is not involved in any other case. As per allegation in the FIR, registered on the Statement Amar Singh, Hirday Pal Singh and his friend alongwith 10-12 unknown persons have came to his shop and have given injuries to the complainant as well as the brother of the complainant and caused damage to the property and committed a theft of Rs. 70,000/-. Later on, supplementary statement of Mandeep Singh was recorded and as per MLR injuries No.1 and 2 were found to be greivous and injury 3 was simple. On the basis of grievous injury, which was on the head of the complainant, the Police had added Section

307 IPC.

Counsel for the petitioner has further argued that the co-accused namely Gursewak Singh, Chhinder Pal Singh and Vikramjit Singh @ Bikramjit Singh have already been granted regular bail by this Court in CRM-M- No. 48933 of 2017, CRM-M-No. 48954 of 2017 and CRM-M No. 47689 of 2017 on 15.01.2018 and 11.01.2018 respectively.

The learned State counsel, on instructions from ASI Paramjit Singh, has not disputed the factual position and submits that despite repeated reminders to the concerned Doctor no opinion has been given so far regarding the injuries sustained by the complainant.

Considering the aforesaid facts and circumstances in mind and the fact that the petitioner is in custody from last about six months and challan stands presented, the present petition is allowed and the petitioner is directed to be released on bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court'/Ikllaqa Msagistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

13.12.2019
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Whether speaking/reasoned Yes/No
Whether Reportable Yes/No