

S.No.220

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

CRM No.M-53114 of 2018 (O&M)

Date of Decision:03.05.2019

Gurmeet Singh

.....Petitioner

Vs.

State of Punjab and anotherRespondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Harshit Jain, Advocate
for the petitioner.
Mr. Prabhjot Singh Walia, AAG,
Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.185 dated 16.08.2018 registered under Sections 323, 324, 326, 201 (offence under Sections 326 and 201 IPC added later on) at Police Station City South, Moga.

Learned counsel for the petitioner contends that the case against the petitioner is concocted. However, even as per the case of the prosecution, the allegation against the petitioner is only of causing injuries to the complainant and for that also offence only under Section 326 IPC has been alleged against the petitioner. The petitioner is in custody since 05.09.2018. Challan has already been filed in this case. Charges have been framed. Therefore, the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be granted bail.

On the other hand, learned State Counsel, being instructed by ASI Kuldeep Singh, submits that the petitioner has caused as many as 14 injuries to the complainant, out of which, 6 are grievous in nature.

Therefore, having committed heinous offence, the petitioner is not entitled to bail. However, it is not disputed that investigation of the case is complete and the charge has since been framed by the trial Court.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

May 03, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No