

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

**CRM-M No. 61 of 2020
Date of decision: - 13.01.2020**

Gursharan Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Gurpreet Singh Sandhu, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 40 dated 07.03.2019 registered under Sections 307, 450, 323, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959 (Sections 325 and 427 IPC and Section 30 of the Arms Act, 1959 were added later on) at Police Station Canal Colony, Bathinda, District Bathinda.

Learned counsel for the petitioner states that the petitioner was not named in the FIR and named on the statement of injured Varinder Singh and no specific injury has been attributed to him, rather the co-accused have been granted regular bail. The petitioner is in custody since 09.04.2019, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

On the instructions from SI Dalip Singh, learned State counsel has not disputed the factum of granting regular bail to the co-accused. The custody certificate by way of affidavit of Rahul Raja, PPS, Deputy Superintendent Central Jail, Bathinda, has been filed by the learned State counsel in the Court today, which is taken on record. As per the custody certificate, the petitioner has undergone 9 months and 2 days.

I have heard the learned counsel for the parties and is of the view that the petitioner is in custody since 09.04.2019, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars. Moreover, the co-accused have already been enlarged on regular bail.

In view of the above, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration, the petition is allowed and the petitioner-Gursharan Singh is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate concerned.

(HARNARESH SINGH GILL)
JUDGE

13.01.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No