

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-492-2020 (O&M)

Date of Decision: 17.02.2020

Gurnam Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karanjit Singh Gill, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.151 dated 08.09.2019, under Sections 307 and 324 IPC, 1860 (offence under Section 325 IPC, 1860 added later on), registered at Police Station Jaito, District Faridkot. He is in custody since 08.09.2019.

The FIR in the present case was registered on the statement of complainant Gurjit Kaur, who stated that her husband died about 18-20 years ago and being a widow, Gurnam Singh used to help her financially. Now, her children became major and she had revered all her relations with Gurnam Singh, but he used to threaten her for making illicit relations and also used to give her life threats. On 08.09.2019, when she was coming to her village Dhabrikhana with Lachhman Singh Ex. member after doing her duties at Dhaga Factory on motor cycle, then at about 7:00 a.m. near bridge of minor canal, Gurnam Singh came there and with an intention to kill her gave a kirpan blow on her head, due to which, she along with Lachhman Singh fell down from the motorcycle. While she was lying down, Gurnam Singh gave four kirpan blows on her lower part of right leg, left hand's fingers and right wrist. On raising hue and cry, complainant's son Mirja

Singh along with some people came at the spot, upon which, Gurnam Singh fled away from the spot along with kirpan. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner submits that the investigation of the case is complete and the challan stands filed on 04.12.2019 and, therefore, his further custody may not be necessary. It is further pointed out that the petitioner lost his mother on 12.01.2020 and this Court granted him interim bail vide order dated 20.01.2020 and the said concession was never misused by him, who surrendered before the jail authorities in the given time. It is prayed that the petitioner be released on regular bail.

On the other hand, learned State counsel assisted by ASI Kahan Singh, has opposed the prayer on the ground that the offence committed by the petitioner is serious. However, it is not disputed that the investigation of the case is complete and charges are yet to be framed.

After hearing the learned counsel for the parties, this Court is of the opinion that the trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Faridkot.

The petition is allowed.

17.02.2020

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No