

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

**CRM-M-2019 of 2020
Date of Decision:-22.01.2020**

Kulwant @ Golu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Harpreet Kaur, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

Petitioner-Kulwant @ Golu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.15 dated 28.1.2019, under Sections 324, 323, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Sadar Kotkapura, District Faridkot.

Learned counsel for the petitioner has *inter alia* argued that even as per the FIR, the only alleged role attributed to the petitioner is that he was carrying a *daang* and raised lalkara. She has further submitted that there is no other case against the petitioner and that petitioner himself had surrendered before the police. She has further submitted that the petitioner is in custody since 13.11.2019.

To this, learned State counsel, on instructions from ASI Karamjit Singh, submits that the challan has already been presented and since it is a case where injuries have been caused to the victim and later on Section 326 IPC has been added. As per him, this is a serious case and he opposed the prayer for granting bail to the petitioner. Learned State counsel has filed the custody certificate of the petitioner in Court, which is taken on record.

After hearing learned counsel for the parties and going through the records, it can be seen that as per FIR, the role attributed to the petitioner is that he was carrying a *daang* and had raised lalkara. It has also been stated that the petitioner himself had surrendered before the police, to which learned State counsel has not rebutted. It has also been stated by the petitioner that no other case is pending against him which has not been rebutted by the State counsel.

Considering the totality of circumstances and the fact that the petitioner had surrendered before the police, this Court deem it fit and proper to admit the petitioner on bail. Therefore, 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.

January 22, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No