

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

CRM-M-2926-2020

Date of decision: - 30.01.2020

Balwinder Singh @ Gaggi

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Arihant Jain, Advocate with
Mr. Arun Jindal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Gazi Mohd. Umair, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this second petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 95 dated 31.07.2018 registered under Sections 302, 341, 323, 148, 149 of the Indian Penal Code at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner states that as per the FIR, petitioner Balwinder Singh along with his father Nirmal Singh @ Bhola only attributed the leg blow to the son of the complainant. He further states that the petitioner has been in custody since 31.07.2018, challan has been presented and charges have been framed on 17.02.2018. The trial would take considerable time in conclusion. Co-accused Nirmal Singh @ Bhola, father of the petitioner, has already been granted regular bail by this Court vide order dated 16.12.2019.

At this stage, Mr. Gazi Mohd. Umair, Advocate has appeared and filed Vakalatnama on behalf of the complainant in Court today. The same is taken on record.

Learned State counsel assisted by learned counsel for the complainant have not disputed the factum of custody of the petitioner.

I have heard the learned counsel for the parties. The petitioner has been in custody since 31.07.2018, challan has been presented, charges have been framed, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

30.01.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No