

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

CRM-M-3778-2020

Date of decision: - 20.02.2020

Gurmej Singh @ Gurmail Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amitabh Tewari, Advocate, and
Mr. Hitesh Thakur, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Anil Kumar Lamdharia, Advocate for the complainant.

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. 104 dated 13.06.2017 registered under Sections 302, 325, 324, 323, 506, 148, 149, 120-B IPC and Sections 25 and 27 of Arms Act, 1860 at Police Station Sadar Samana, District Patiala.

Learned counsel for the petitioner states that FIR was registered on the complaint of Gurnam Singh who is brother of the deceased Joga Singh. Gurnam Singh in his first statement stated that petitioner-Gurmej Singh @ Gurmail Singh has given a fire shot injury to Joga Singh and on the same day in the supplementary statement Gurnam Singh had attributed the said injury to Sewa Singh, which was earlier attributed to the petitioner and the prosecution agency given up Sewa Singh. As per the MLR there are

three injuries inflicted to Sewa Singh, which are blunt and are simple in nature and three co-accused i.e. Devinder Singh, Simranjit Singh and Karnail Singh have been granted bail.

He further states that the allegations are false, the petitioner has been in custody since 19.06.2017, the challan has been presented.

Learned State counsel assisted by learned counsel for the complainant have not disputed the fact regarding the custody period of the petitioner. He further states that challan has been presented, charges are yet to be framed and out of 40 prosecution witnesses, 21 prosecution witnesses have been examined and application under Section 319 Cr.P.C. has been moved by the prosecution.

I have heard the learned counsel for the parties. The petitioner has been in custody since 19.06.2017, challan has been presented and 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

20.02.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No