

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

205

CRM-M-16164-2020 (O&M)

Date of Decision: 27.07.2020

KULWINDER SINGH @ BOOTA

....Petitioner

Versus

STATE OF PUNJAB

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. J. S. Jaidka, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Reply on behalf of respondent-State filed and the same is taken on record.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-Kulwinder Singh @ Boota in case F.I.R. No.48 dated 11.04.2019 under Sections 148, 308, 323, 325, 341 and 506 IPC read with Section 149 IPC registered at Police Station Jodhewal, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that alleged injury on the left eye of injured-Balwinder Singh

attributed to petitioner, said injury though grievous in nature, but the same was not declared dangerous to life. He further urges that co-accused namely Naresh @ Lucky Gujjar has already been released on bail by this Court, vide order dated 08.06.2020. He further urges that petitioner is in custody since 14.12.2019 and he is no more required by the Police for any investigation purpose. He further urges that challan has already been presented in the Court and since consequent trial would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further, thus, he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the reply submitted by respondent-State as well as documents placed on record at the instance of petitioner.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 14.12.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

CRM-M-16164-2020

:3:

In view of above, instant petition for grant of regular bail moved by the petitioner- **Kulwinder Singh @ Boota** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

(LALIT BATRA)
JUDGE

27.07.2020

rimpal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No