

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

201

CRM-M No.28389 of 2019
DATE OF DECISION : 8th JUNE, 2020

Gurdeep Singh @ Binda

.... **Petitioner**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Narinder S. Lucky, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.119 dated 06.09.2018 registered under Sections 307, 365, 506 & 34 IPC and Sections 25 & 27 of the Arms Act, at Police Station Mehatpur, District Jalandhar (Rural).

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. Although, as per the allegations, the petitioner is attributed two fire arms injuries, one upon complainant and the other upon Karamjit Singh, however, the story of the prosecution is totally false. The complainant as well as the injured witness have been examined before the trial court as witness. However, none of them has supported the case of the prosecution. There are ample chances of acquittal of the petitioner. The petitioner is in custody since November, 2018. Hence, the petitioner deserves to be released on bail.

Notice of motion.

Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the State of Punjab.

Learned State counsel, on instructions from ASI Teerath Ram, submits that there are specific allegations of causing fire arm injuries; against the petitioner. However, it is not disputed that the prosecution witnesses, including the complainant, have not supported the case of the prosecution. It is also not disputed that the petitioner is in custody since November, 2018.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

8th June, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>