

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

221

CRM-M-33916-2020(O&M)

Date of decision :03.11.2020

GURSEWAK SINGH

.....Petitioner

versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.

Mr. LuvinderSofat, AAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Although, learned counsel for the petitioner has not come forward to attend the hearing of the case through video conference, however, with the able assistance of learned counsel appearing for the State of Punjab, this Court has gone through the petition.

The petitioner prays for grant of regular bail FIR No. 0097, dated 22.07.2020, registered under section 307/323/34 IPC, at Police Station Sadar Jalalabad, District Fazilka.

At the outset, it must be noticed that two co-accused of the petitioner, namely, Kulwinder Singh @ Nanna and Gurwinder Singh @ Goldy, have already been granted the concession of pre-arrest bail.

Learned State counsel has very fairly submitted that as per the case of the prosecution, the role of the petitioner is on a lower pedestal than the aforesaid co-accused. This court has also been informed that the petitioner was armed with wooden stick and has given blows when the first informant was lying on the ground.

On completion of the investigation, challan has already been presented. It is not disputed that the petitioner is a person with clean antecedents.

The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in judicial custody since 22.07.2020 and the conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

November 03, 2020

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Whether speaking/reasoned

Whether reportable

(ANIL KSHETARPAL)

JUDGE

: Yes/No

: Yes/No