

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-40930 of 2019

.....

Date of decision:23.01.2020

Gurpreet Singh alias Bugri

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Ashok Kumar Verma

.....

Present: Mr. Kulbhushan Raheja, Advocate for the petitioner.

Mr. Sukhbir Singh, Assistant Advocate General, Punjab for the respondent-State.

.....

Ashok Kumar Verma, J.

The petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.190 dated 4.12.2017 (Annexure-P.1) registered for the offences under Sections 307, 336, 323 and 34 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Lehra, District Sangrur.

During the course of hearing, learned counsel for the petitioner has adverted to the proceedings before the trial Court, which would reflect that in spite of Charanjit Kaur (mother of the complainant) having been summoned through bailable warrants, she did not appear and even the counsel who was present in the Court did not appear before the trial Court.

The petitioner has been incarcerating since 13.12.2017.

Notice of motion to Advocate General, Punjab.

Mr. Sukhbir Singh, learned Assistant Advocate General, Punjab has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that first bail petition filed by the petitioner was dismissed in the year 2018. The only role attributed to the petitioner is that he gave iron rod blow on the right leg of complainant Gurdeep Singh whereas the main injury for the offence under Section 307 IPC has been attributed to co-accused Manmohan Singh alias Mohna. Co-accused Yadwinder and Komaljit Singh alias Bugna have already been released on bail by this Court and co-accused Ram Singh alias Rama has been released on bail by learned Additional Sessions Judge, Sangrur. The petitioner has been in custody since 13.12.2017. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to the satisfaction of the trial Court concerned.

January 23, 2020.

(Ashok Kumar Verma)
Judge

hsp

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