

CRM-M-52255 of 2019

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

CRM-M-52255 of 2019
Date of Decision: 06.03.2020

Gurmukh Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Sumit Jain, Advocate, for the petitioner.
Mr. Pawan Sharda, Sr. DAG, Punjab.
Mr. S.C. Bhola, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

CRM-4609 of 2020

Learned counsel for the applicant prays that he may be allowed to withdraw this application.

Dismissed as withdrawn.

CRM-M-52255 of 2019

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Gurmukh Singh – in a case arising from FIR No.66 dated 08.09.2019 registered under Sections 326, 308, 427 IPC at Police Station Behram, District Shaheed Bhagat Singh Nagar.

Learned counsel *inter alia* contends that petitioner is in custody since 09.09.2019. He has wrongly been tried under Section 308 IPC, though at the most he ought to have been tried under Sections 279, 337 and

CRM-M-52255 of 2019

338 IPC. Conclusion of trial may take a sufficient long time. No useful purpose would be served by keeping the petitioner in jail, any more.

Refuting above submissions, learned State counsel, assisted by learned counsel for the complainant, contends that petitioner intentionally hit his tractor against the complainant with an intention to kill him. Thus, he does not deserve the concession of regular bail.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner – Gurmukh Singh – is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

March 06, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No