

Gurwinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Akbarjit Singh, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

Mr. Sandeep Arora, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 163, dated 15.06.2020, registered at Police Station Shahkot, District Jalandhar (Rural), for the alleged commission of offences punishable under the provisions of Sections 307/323/324/326/341/148/149/506 of the IPC.

Today, learned State counsel submits that as per the reply filed by the DSP, Sub-Division Shahpur, the petitioner has been attributed three injuries, all on the hands of those who were injured, but one of those injuries is a grievous one, attracting thereby the commission of an offence punishable under the provisions of Section 326 of the IPC.

Learned counsel for the complainant submits that the petitioner may not be admitted to bail, there also being another FIR registered against

him and his co-accused, as regards a previous incident when the complainant and his family were attacked; and that he may again indulge in the same kind of illegal activities.

Upon query as to the stage of trial and the period of custody of the petitioner, learned State counsel submits that the petitioner has been in custody for the past 1 year and 3 months and that though the charges have been framed, no prosecution witness has been examined so far.

That being so, without making any comment on the actual merits of the case, simply looking at the long period of custody of the petitioner, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate.

However, it is obviously made clear that in case the petitioner is found to be misusing the concession of bail and indulging in any kind of illegal activities, the prosecution/the complainant would, naturally, be at liberty to file an appropriate application seeking cancellation of the bail, which would be decided on its own merits, if filed.

October 01, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.