

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

CRM-M-19416-2021 (O&M)

Date of Decision: 21.05.2021

Gurcharan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rajwant Singh Chahal, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C. seeking regular bail to the petitioner in DDR No.29 dated 21.12.2009 under Sections 323, 341, 325 (Added later on), 201 (Added later on) and 34 IPC registered as cross case in FIR No.497 dated 20.12.2009 under Sections 323, 324, 341, 201 and 34 IPC, registered at Police Station Mohali (now Mattaur), District SAS Nagar, Punjab.

Counsel for the parties have been heard.

It has been asserted that the cross case is the outcome essentially of a matrimonial dispute.

The co-accused namely Gurbachan Singh has already been granted benefit of probation.

It is a magisterial trial.

Petitioner has already faced incarceration since 28.12.2020.

No useful purpose would be served by keeping the petitioner in custody any further.

It is also not the case made out on behalf of the State if the petitioner is granted concession of bail, he would be in a position to hamper the course of free and fair trial.

Without making any observation on merits, petitioner is held entitled to the benefit of bail.

Petitioner Gurcharan Singh be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.05.2021
shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No