

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

CRM-M-22240-2021

Date of Decision: 17.06.2021

Bhupinder Singh alias Gurwinder Singh.....Petitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. Gagandeep Singh Simble, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail in case FIR No. 103 dated 18.08.2021 under
Sections 323, 324, 325, 326, 336, 148, 149, 201 IPC and 25/27(2)-54-59 of
the Arms Act registered at Police Station Qadian, Police District Batala,
District Gurdaspur.

Learned counsel submits that the petitioner has been in custody
since 15.03.2021 and only challan has been presented against him as on
date. Further submits that the role attributed to the petitioner is Kirpan blow
on the head of the complainant which was declared to be grievous in nature
attracting the mischief of Section 326 IPC. Learned counsel submits that all
the other offences for which he has been charged with are triable by the
Magistrate. He has also submitted that in the prevailing conditions on

time in the near future.

Per contra the learned State counsel, on instructions from SI Avtar Singh, while opposing the prayer of the learned counsel for the petitioner has submitted that charges are likely to be framed on the next date of hearing. He has submitted that though only one injury is attributed to the petitioner but the same was declared grievous in nature.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody since 15.03.2021 and no useful purpose would be served by keeping the petitioner behind bars as the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail. The petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

17.06.2021
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No