

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(232)

CRM No. M-42144-2020

Date of Decision : 17.08.2021

Gagandeep Singh @ Gagna

....Petitioner

Versus

State of Punjab

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Hardawinder Singh, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 55, dated 20.04.2020, registered under Sections 307, 323, 148, 149 IPC (Section 325 IPC added later on), at Police Station Raman, District Bathinda.

Learned counsel for the petitioner argues that the injuries inflicted upon the victim, namely, Amarjit Singh, who is the father of complainant, have been attributed to two persons i.e. the petitioner and one Siltu Singh and, therefore, it is not clear that who has inflicted the injury No. 4 upon victim, Amarjit Singh, which has been declared grievous in nature. Learned counsel for the petitioner further submits that the petitioner is behind bars for the last more than one year and, therefore, he be granted the benefit of regular bail.

Notice of motion.

Mr. Sandeep Kumar, learned Deputy Advocate General,

Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel has filed custody certificate of the petitioner. The same is taken on record. Learned State counsel submits that the FIR is very clear and injury No. 4 inflicted upon victim, Amarjit Singh, has been attributed to petitioner. Learned State counsel further submits that the challan has already been presented and the charges have already been framed but the complainant is yet to be examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Injury No. 4, which has been inflicted upon the victim, Amarjit Singh i.e. father of the complainant, has been declared grievous in nature and the same has been attributed to the petitioner. Further more, the complainant is yet to be examined and the antecedents of the petitioner show that the petitioner is involved in three criminal cases, the details of which have been given in para 10 of the reply.

Keeping in view the facts and circumstances of this case that the complainant and the victim are yet to be examined, no ground is made out to extend the benefit of regular bail to the petitioner, at this stage.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 17, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No