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

CRM-M No.7973 of 2022 (O&M)

Date of decision: 26.04.2022

Gurdev Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in Rapat No.4 dated 30.09.2021 in FIR No.203 dated 29.09.2021, for offence punishable under Sections 323, 324, 148, 149 of the Indian Penal Code, 1860 (in short 'IPC') (Section 307 IPC added later) and Sections 25 and 27 of the Arms Act, registered at Police Station Dharamkot, District Moga.

Counsel for the petitioner has submitted that the petitioner is an accused in a cross-version and only allegation that he raised a lalkara, is attributed to him. It is also submitted that the petitioner is the first offender, aged about 57 years and he is in custody for the last about 03 months and challan has already been presented before the trial Court and it will take some time in conclusion of the trial.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last about 03 months; the petitioner is the first offender, aged about 57 years; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

26.04.2022
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No