

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

Sr. No.207

CRM-M-30278 of 2021

Date of Decision: 17.02.2022

Gurdeep Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Amandeep Singh Rai, Advocate
for the petitioner.

Mr. A.A.Pathak, Addl. A.G., Punjab.

SANT PARKASH, J.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.171 dated 09.09.2014, registered under Sections 302, 307, 323, 324, 341, 506, 148, 149, 120-B of IPC, Sections 25 and 27 of Arms Act, 1959 at Police Station Sahnewal, District Ludhiana City.

It is contended that the petitioner has been falsely implicated in the present FIR. As per the post mortem report, the deceased suffered 8 injuries on his person, out of which 6 injuries have been attributed to the co-accused namely Gurpreet Singh and Dilpreet Singh, having been inflicted with firearms and 2 injuries are incised wounds on the right scapula and right forearm of the deceased, which have been attributed to three persons namely the present petitioner Gurdeep Singh, Arvinder Singh @ Ravinder Singh and Sandeep Singh @ Sunny. The fatal injuries inflicted on the person of the deceased have been attributed to the co-accused and not to the present petitioner. No recovery is to be effected from the petitioner. It is further contended that co-accused of the petitioner namely Dilpreet Singh, Sandeep Singh @ Sunny, Arvinder Singh @ Ravinder Singh @ Ravi and Harpreet Singh have already been granted concession of regular bail by this Court vide orders dated 12.01.2018, 05.02.2018, 19.03.2018 and 01.03.2018 respectively and the present petitioner is in custody since

30.01.2019.

Learned State counsel while opposing the prayer made on behalf of the petitioner submitted that the present petitioner was declared proclaimed offender on 25.02.2015 in the present case and thereafter, was arrested on 30.01.2019 and since then, he is behind bars. Challan in the present case has also been filed. However, learned counsel submits that there is no other FIR against the present petitioner.

I have heard the learned counsel for the parties and perused the case file.

Keeping in view the fact that the petitioner is in custody since 30.01.2019; challan in the present case stands filed and no recovery has to be effected from the present petitioner as also the fact that the injuries attributed to the present petitioner i.e. incised wounds on the right scapula and right forearm of the deceased, are not fatal in nature, no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

Accordingly, the present petition stands allowed.

**(SANT PARKASH)
JUDGE**

17.02.2022
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No