

GURCHARANJIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Nikhil Kumar, Advocate for the petitioner.

Mr. Davinderbir Singh, DAG, Punjab.

*(The case has been taken up through video conferencing on account of Covid-19 Pandemic)*VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated through email today and the same is taken on record.

Gurcharanjit Singh-petitioner is seeking regular bail in the case bearing FIR No. 124 dated 02.07.2020, under Sections 341/307/452/354/323/325/148/149 IPC, 1860 and Section 201 (added later on), registered at Police Station Garshankar, District Hoshiarpur.

Briefly, the FIR has been registered on the basis of statement of Amritpal Singh, wherein it has been alleged that the petitioner along with his co-accused had inflicted injuries upon him, his mother Sukhwinder Kaur and sister Rajender Kaur.

The learned counsel for the petitioner contends that the injuries attributed to the petitioner are by means of firewood. As per the allegations in the FIR, the petitioner had inflicted injury by means of brick on the forehead of the mother of the complainant. Furthermore, he had also inflicted two blows on the nose and mouth of the sister of the complainant and her tooth was broken. It has

attributed to the petitioner, the petitioner is in custody for the last 5 and ½ months, he is not involved in any other case, the investigation of the case is complete, the challan had already been presented in the Court, the co-accused, namely, Jaswinder Singh @ Kala and Gurmit Kaur have been granted bail whereas Balbir Singh and Gurmeet Singh co-accused have been granted pre-arrest bail by this Court.

Learned State counsel has not disputed the aforesaid factual aspects but has opposed the bail application on the score that there were 12 injuries on the person of the mother of the complainant, 07 injuries to Sukhwinder Kaur and , 04 injuries to Amritpal Singh.

Be that as it may, the injury under Section 307 IPC has not been attributed to the petitioner, he is in custody for the last about 5 and ½ months, he is not involved in any other case, the investigation of the case is complete and challan has already been presented in the Court. Two of the co-accused have been granted regular bail and two of the co-accused had been granted pre-arrest bail by this Court. The conclusion of trial is likely to take sometime and no fruitful purpose would be served by detaining the petitioner in further custody.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

24.01.2022
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(VIVEK PURI)
JUDGE

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