

2023:PHHC:084197

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

CRM-M-57687-2022

Date of decision : 05.07.2023

Gurwinder Singh @ Gobind @ Binda

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. G.S. Sidhu, Advocate and
Mr. Mohit Kumar, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

Mr. Shobit Phutela, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case bearing FIR No.27
dated 09.05.2022, registered for offences punishable under Sections
307, 341, 323, 506 and 201 of IPC at Police Station Bhadaur, District
Barnala.

2. Counsel representing the petitioner submits that the
petitioner has already suffered incarceration of more than 01 year, 01
month and 21 days. The investigation stands concluded and the trial
has proceeded considerably as the material witnesses including the
complainant stand examined and the custody of the petitioner at this
stage cannot be used as a punitive measure.

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3. Counsel for the complainant Mr. Phutela refers to the medical report and submits that keeping in view the receipt of the injuries suffered by the victim, the case against the petitioner is serious and there are grave allegations against him. However, State counsel is not in a position to dispute the factual assertions made by counsel for the petitioner which are borne out from the record.
4. Without commenting on the merits of the case and keeping in view that the petitioner has already suffered incarceration for more than 01 year, 01 month and 21 days and he is not in a position to influence the trial, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

05.07.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No