

**(2010) 12 P&H CK 0463**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Criminal Miscellaneous No. M-29064 of 2010

Iqbal Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

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**Date of Decision:** Dec. 10, 2010

**Acts Referred:**

- Arms Act, 1959 - Section 25
- Penal Code, 1860 (IPC) - Section 120B, 148, 149, 186, 307

**Hon'ble Judges:** L.N. Mittal, J

**Bench:** Single Bench

**Final Decision:** Allowed

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**Judgement**

L.N. Mittal, J.

Iqbal Singh alias Pal has filed this petition for bail in case FIR No. 20 dated 30.1.2009 under Sections 307, 324, 353, 186, 333, 332, 427, 120B, 148, 149 IPC & 25 of Arms Act, registered at Police Station Sadar, Kapurthala.

2. According to prosecution version, Petitioner and his co-accused threw chilli powder in the eyes of Head Constable Sukhwinder Singh and HC Balkar Singh who along with HC Labh Singh were escorting Dilbagh Singh alias Bagga (an accused in NDPS Act) in custody from District Jail, Kapurthala to court at Nakodar by bus. The Petitioner and his co-accused who were holding datar also inflicted blows to HC Labh Singh and HC Sukhwinder Singh with intent to kill them. Labh Singh was injured seriously. He also suffered grievous hurt with sharp weapon. Petitioner is said to have caused said grievous hurt. This is prosecution version.

3. Learned Counsel for the Petitioner contended that Petitioner is in custody since 28.2.2009 i.e. for more than one year and nine months and not even a single witness of the prosecution has yet been examined. Grievous hurt is not on vital part. This factual position is not controverted by learned State counsel. It is also not disputed that all other co-accused except Dilbah Singh alias Bagga who was got rescued are

on bail.

4. Keeping in view the long custody of the Petitioner and the fact that the trial is likely to take a long time, but without meaning to express any opinion on merits, the instant bail petition is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Kapurthala.