

(2010) 11 P&H CK 0526

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal M. No. M-23863 of 2010 (O and M)

Darshan Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: Nov. 17, 2010

Acts Referred:

- Arms Act, 1959 - Section 25
- Criminal Procedure Code, 1973 (CrPC) - Section 439
- Penal Code, 1860 (IPC) - Section 307, 323, 324, 34

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Final Decision: Allowed

Judgement

Ram Chand Gupta, J.

The present petition filed u/s 439 Code of Criminal Procedure is for grant of regular bail to the Petitioner in case FIR No. 43, dated 15.2.2010, under Sections 307, 323, 324, 34 IPC and Section 25 of the Arms Act, registered at Police Station Sultanpur, District Kapurthala.

2. I have heard learned Counsel for the parties and have gone through the whole record carefully.

3. It has been contended by learned Counsel for the Petitioner that he has been continuing in custody since 17.2.2010. Further contends that Petitioner has been falsely implicated in this case as some civil litigation is going on between the complainant and father of Petitioner and his other brothers. Petitioner is the real brother of the complainant. It is also contended that no specific injury has been attributed to the present Petitioner though he was stated to be armed with Barchi. It is also contended that trial is not likely to conclude in near future as no witness has been examined so far.

4. There are no allegations on behalf of the State that Petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.
5. In view of these facts and without expressing any opinion on the merits of the case, the present petition filed by Petitioner-Darshan Singh for grant of regular bail is allowed.
6. Bail to the satisfaction of CJM/Duty Magistrate, Kapurthala.