

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-14535-2015
Date of decision:11.05.2015**

Veer Singh @ Laddu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.M.S.Kathuria, Advocate for
Mr.I.P.S.Kohli, Advocate for the petitioner.
Mr. Daljeet Singh Virk, AAG, Punjab

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in FIR No.6 dated 25.1.2015 registered under Sections 307, 186, 353, 332, 457, 380 and 34 of the Indian Penal Code ('IPC' for short) at Police Station Tibber, District Gurdaspur.

Notice to Advocate General, Punjab.

On the asking of Court, Mr. Daljeet Singh Virk, AAG, Punjab, accepts notice.

Learned counsel for the petitioner refers to the report under Section 173 Cr.P.C. at page 12 of the paper-book, to contend that only one injury was found on the person of injured HC Harjit Singh and that was found as a result of a blunt weapon. Injury was declared simple in nature by the doctor in MLR dated 25.1.2015, whereas allegation against the petitioner in the FIR was that he caused a sword blow on the forehead of injured. He submits that in this view of the matter, whether an offence under Section 307 IPC would be made out or not would be a debatable issue. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instruction from SI Surjit Singh, Police Station, Tibber, submits that petitioner is the main accused. He gave a sword blow on the forehead of the injured-complainant. Petitioner has been found involved in five more FIRs. Sword has been recovered from the petitioner, because of which he is not entitled for bail pending trial at this stage. He prays for dismissal of the petition.

Having heard the learned counsel for the parties, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, instant petition deserves to be allowed. It is so said because the only injury attributed to the petitioner has been found simple in nature as per the MLR dated 25.1.2015.

Without commenting any further, lest it should prejudice the rights of either of the parties, present petition stands allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of.

11.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE