

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

Crl.Misc.No.M-16129 of 2015

Date of Decision : 25.05.2015

Pamma Ram @ Karamjit

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Ms.Mansi Bansal, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J.

This is a petition under Section 439 Cr.P.C praying for grant of bail in terms thereof in case FIR no.113 dated 14.11.2014 registered under Sections 308, 506, 34 IPC (later on charge under Sections 307, 506, 34 IPC has been framed vide order dated 23.4.2015) at Police Station Sangat, District Bathinda.

The petitioner has been accused of causing two injuries with a kahi (spade) to the complainant inviting the provisions of Section 307 IPC, 323 IPC. Initially the case was registered under Sections 308, 506, 34 IPC subsequently the offence arrayed against the petitioner is that of Section 307 IPC.

Learned counsel for the petitioner contends that the petitioner is in custody since 19.11.2014 and the trial is likely to take some time.

Learned counsel for the respondent on the other hand points out to the serious nature of the offence where the petitioner is accused of causing two injuries to the complainant.

On due consideration of the matter and noticing the fact that the

petitioner is in custody since 19.11.2014 and the trial is likely to take some time and also noticing the fact that the dispute has erupted on account of turn of water with no pre-meditated intent, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court.

Learned counsel for the petitioner contends that due to inadvertence Section 323 IPC has not been mentioned in the head note of the petition. The lapse has been attributed to typographical error. Learned counsel is directed to make an appropriate application in this regard. However, in the order so passed, Section 323 IPC may be mentioned on the oral request of learned counsel for the petitioner.

Nothing said herein shall be construed to be an expression on the merits of the case.

May 25, 2015
rekha

(Mahesh Grover)
Judge