

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

CRM-M-22212-2015

Date of Decision: August 28, 2015.

Dalwinder Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Nandan Jindal,Advocate
for the petitioner

Mr.Jashan Preet Singh, AAG,Punjab

M.M.S.BEDI, J.(Oral)

The petitioner has been in custody w.e.f.22.09.2014 in a case registered at the instance of Rishavdev complainant alleging that the petitioner, as a member of unlawful assembly, had attacked the complainant and gave severe beating as he had appeared in a previous complaint filed by him.

I have heard counsel for the petitioner and gone through the role attributed by the petitioner. Petitioner had allegedly assaulted the complainant with the handle of hand pump. He has been attributed three injuries. Injuries No. 1 and 2 attributed to him were declared as simple whereas injury No.3 attributed to the petitioner on the shoulder of the complainant has been declared to be grievous. Challan has already been presented. The trial is likely to take a long time. It would be certainly a

debatable issue whether the grievous injury attributed to the petitioner with a blunt weapon which would warrants conviction under Section 308 IPC.

Without expressing of any opinion on merit, this petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that petitioner will not indulge in similar offence during the pendency of the trial. He will also not threaten any prosecution witness or tamper with the evidence. In case of any such act done by the petitionr it will be open to the complainant or the prosecution agency to approach this Court for cancellation of bail of the petitioner.

August 28, 2015.
TSG

(M.M.S.BEDI)
JUDGE