

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

CRM-M No.22452 of 2015

Date of decision: 20th July, 2015

Sunny

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the present petitioner Sunny in this anticipatory bail application filed under Section 438 Cr.P.C. in case FIR No.139 dated 27.08.2014 registered at Police Station Division No.8, Jalandhar under Sections 452/427/323/324/506/148/149 IPC are that on 26.08.2014 at 8.30 p.m. the petitioner armed with Datar had caused injuries to complainant Rakesh Kumar @ Papu. As per the allegations of the prosecution the injury by this accused has been caused on the head of the injured.

Notice of motion.

On the asking of Court, Mr. C.S. Brar, Deputy Advocate General, Punjab accepts notice on behalf of the State.

The contentions of learned counsel for the petitioner that the said injury is simple in nature and that there is a contradiction in the ocular version as well as medical record, have not been controverted by learned State counsel on instructions from ASI Amrik Singh, who has readily accepted that the injury suffered by the injured is simple in nature. It is further contended that similarly placed co-accused/non-applicant has already been allowed bail, and in view of the principle of parity the petitioner also deserves the same relief.

In the light of these submissions, in the event of arrest, the petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

July 20, 2015
rps