

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

CRM-M No.2359 of 2015

Decided on: 02.09.2015

Raj Kumar @ Raju Billa . . . Petitioner

Versus

State of Punjab . . . Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pardeep Bajaj, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.110 dated 20.07.2014, registered under Sections 307, 452, 34 of the Indian Penal Code, at Police Station Division No.4, Ludhiana.

Learned counsel for the petitioner contends that the petitioner allegedly gave one *Kirpan* blow on the left wrist of Sita Devi and another *Kirpan* blow to Mohd. Akhtar. In this context, learned counsel for the petitioner referred to the statement of Dr. Gurbinder Kaur, EMO, Civil Hospital, Ludhiana, who in her cross-examination has stated with regard to the injuries suffered by

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Sita Devi, that the possibility of all injuries to be self inflicted or with friendly hands cannot be ruled out. Sita Devi was discharged after medical examination. Learned Counsel further refers to the cross-examination of Dr. Paul Sudhakar John, Resident Neuro Surgery, CMC Hospital, Ludhiana, who has noticed that there was no injury on the person of Mohd. Akhtar caused with sharp edged weapon.

The learned State counsel, on the other hand, has not been able to controvert the fact that injuries on the person of Sita Devi as well as Mohd. Akhtar were grievous in nature.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

[JITENDRA CHAUHAN]
JUDGE

02.09.2015
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