

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

Criminal Misc.No.M-23654 of 2015

Date of Decision: August 11, 2015

Gurnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.J.S.Bedi, Senior Advocate with
Mr.Harpreet Multani, Advocate,
for the petitioner.

Mr.K.S.Pannu, DAG, Punjab.

None for the informant.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Gurnam Singh, who has been booked for having committed the offences punishable under Sections 148, 307, 323 and 325 read with Section 149, IPC, and Section 11(B) of the Protection of Children from Sexual Offences Act, in a case arising out of FIR No.33, dated 02.05.2015, registered at Police Station, Division No.6, District Jalandhar.

Learned Senior counsel contends that on account of teasing of the daughter of the injured, Gurmit Singh Gill, the incident had occurred in which Gurmit Singh Gill had sustained

the injuries, attracting the mischief of Sections 323 and 325, IPC. However, he submits that even if the whole case is taken at its face value then also the ingredients of Section 307, IPC, are not attracted. The petitioner is behind the bars since 03.05.2015. He is neither required nor involved in any other case. He further contends that no specific injury has been attributed to the petitioner.

On the other hand, learned counsel for the State, on instructions from ASI Narinder Singh, Police Station, Division No.6, Jalandhar, very fairly concedes that the applicability of Section 307, IPC, would be a moot point during the course of trial. However, he fairly concedes that the petitioner is behind the bars from 03.05.2015 and after completion of the investigation, the charge-sheet (report under Section 173, Cr.P.C) has already been presented before learned Area Judicial Magistrate. He also concedes that the petitioner is neither required nor involved in any other case.

After hearing learned counsel for the parties and going through the material available on record, the present petition is accepted. Petitioner-Gurnam Singh, s/o late Gurpuran Singh, r/o House No.9, Nursery Road, Model Town, Jalandhary City, is directed to be released on bail during pendency of trial of the present case, subject to his furnishing bond in the sum of ₹ 1,00,000/- (Rupees one lac only) with one

surety in the like amount to the satisfaction of learned Chief
Judicial Magistrate/Duty Magistrate, Jalandhar.

August 11, 2015
seema

(Naresh Kumar Sanghi)
Judge