

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

CRM No.M-265-2015 (O&M)

Date of decision: 13.2.2015

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. SPS Sidhu, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Lakhwinder Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.128, dated 5.7.2014, registered under Sections 304/353/34 IPC and under Section 25 of the Arms Act, at Police Station Makhu, District Ferozepur.

The learned counsel for the petitioner contends that it is a case of version and cross-version. The petitioner has been falsely implicated. The learned counsel further contends that the father of the petitioner was killed in the incident whereas many injuries were caused to his mother, which have been noticed by the doctor in the MLR. The petitioner only acted in self- defence.

On the other hand, the learned State counsel has vehemently opposed the bail application.

It is a case of version and cross-version. It is yet to be ascertained who is the aggressor party or who acted in self-defence. Both the sides have received injuries. The father of the petitioner was killed in the incident whereas his mother was caused many injuries. Two separate challans have been presented against both the parties, which are yet to be committed to the Court of Sessions for trial. The trial is not likely to be concluded in the near future. Without advertng 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 Ilaqa Magistrate/Duty Magistrate.

13.02.2015

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(JITENDRA CHAUHAN)
JUDGE