

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

CRM-M-29593 of 2015(O&M)
Date of decision : 10.09.2015

Rajwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R. S. Athwal, Advocate for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab
assisted with SI Darshan Lal

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.47 dated 19.05.2015, registered under Sections 307, 308, 325, 323, 341, 506, 148 and 149 of the Indian Penal Code (for short, 'the IPC') at Police Station Bassi Pathanan, District Fatehgarh Sahib.

The learned counsel, inter alia, contends that the occurrence took place on 15.05.2015 whereas the complainant was admitted in Max City Hospital, Ropar on 16.05.2015 at 9.30 PM. The treating doctor has opined that all the injuries had been caused to the complainant within the duration of six hours. Therefore, the learned counsel states that the injuries suffered by the complainant has not been

properly explained and is result of the revolt to settle score with the petitioner who is a complainant in another FIR i.e.FIR No.59 registered at Police Station Bassi Pathana against nephews of the petitioner.

On the other hand, the learned State counsel submits that the petitioner in fact had been admitted to Max Hospital on 15.05.2015 at 9.00 PM. By whom and when the petitioner was removed to the hospital, in question, is to be decided by the trial court.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that the petitioner is in custody since 19.05.2015, challan stands presented, charges have not been framed and co-accused has been admitted to bail by this Court in CRM-M-24352 of 2015, it can be safely inferred that the trial is not likely to be concluded in the near future.

In view of above, 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, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

10.09.2015

ashok

ASHOK KUMAR
2015.09.11 15:13
I attest to the accuracy and
authenticity of this document

(JITENDRA CHAUHAN)
JUDGE