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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30884 of 2015

Date of decision: November 06, 2015

Shivraj Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA**Present:** Mr. K.B.S. Mann, Advocate
for the petitioner.

Mr. P.S. Bajwa, DAG Punjab.

SABINA, J

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.30 dated 23.02.2015, under Sections 452, 323, 148, 149 of Indian Penal Code, 1860 ('IPC' for short) (Section 308 IPC added later on), registered at Police Station Sangat, District Bathinda.

Prosecution story, in brief, is that on 22.02.2015 at about 7:15 PM, complainant along with Kaur Singh were having dinner in their house. In the meantime, Babbi Singh and Shivraj Singh (petitioner) armed with *gandasa*, Chandu alias Raja, Mona Singh armed with sticks, Ruldu Singh and Rogha Singh armed with *gandasa*, Pokhar Singh armed with stick, Jaggi Singh armed with iron rod came to their street which ended in the house of the complainant. Babbi Singh raised a *lalkara* and gave a *gandasa* blow on the head of the complainant. Petitioner gave a *gandasa* blow on the head of

Kaur Singh. Chandu Singh gave a stick blow on the left arm of the complainant. Jaggi Singh gave an iron rod blow on the head of Kaur Singh. Kaur Singh fell on the ground and more injuries were inflicted on his person by the accused. Ruldu Singh pressed his stick in the abdomen of the complainant. Pokhar Singh gave two stick blows on the left arm of Kaur Singh. Chandu Singh gave a stick blow on the left arm of Kaur Singh.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 13.06.2015. Challan has already been presented in the Court and conclusion of trial may take time. Injured have been discharged from the Hospital.

Learned State counsel, on the other hand has opposed the petition.

Keeping in view the fact that the petitioner is in custody since 13.06.2015 and is not required for further investigation as challan has already been presented in the Court, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on merits on the case, this petition is allowed. Petitioner be admitted to bail, subject to the satisfaction of the Chief Judicial Magistrate, Bathinda.

**(SABINA)
JUDGE**

November 06, 2015
mahavir