

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.M-311 of 2015

Date of Decision: January 16, 2015

Bhola Singh and another

.... Petitioners

vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. K.B.S. Mann, Advocate for the petitioners.

Mr. Nikhil K. Chopra, Deputy Advocate General, Punjab.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

As per allegations levelled in the FIR No.36, dated 20.05.2013 that on 19.05.2013, complainant Baltej Singh accompanied by Balwant Singh visited village Kannianwali. There a mob armed with *dang*, sword and other weapons stopped their car and attacked him. Petitioner No.1 Bhola Singh is stated to be armed with *sotta* and petitioner No.2 Bagga Singh is stated to be armed with *gandasi*. The mob gave various injuries to complainant Baldev Singh.

As per the MLR, none of the injury is found to be grievous and dangerous to life. The petitioners were arrested on 12.12.2014.

Learned State counsel, on instructions from ASI Iqbal Singh, has stated that challan has not been presented so far, which

is controverted by learned counsel for the petitioners. It was an election day. It is stated that due to political rivalry, the petitioners have been involved in the crime. Though, no injury was attributed to them and that no injury was found to be grievous and dangerous to life. After the occurrence i.e. on 19.05.2013, the case is stated be still pending for investigation for the last more than 1-½ years.

It being so, there is no justification for further detention of the petitioners. Accordingly, the present petition is allowed and the petitioners are ordered be released on bail on their furnishing personal bonds in the sum of ₹50,000/- each with one surety of the like amount to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib, subject to the following conditions:

- i) The petitioners will continue to appear on each and every date of hearing.
- ii) They will not tamper with the evidence.
- lii) They will not leave the country without prior permission of the Court.

January 16, 2015
sarita

(KULDIP SINGH)
JUDGE