

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

CRM-M No.32966 of 2015

Date of decision: 5th November, 2015

Rajesh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. K.S. Sidhu, Advocate
for the petitioner.

Mr. C.S. Brar, Dy. Advocate General, Punjab.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Rajesh in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.107 dated 17.06.2015 registered at Police Station Kanal Colony, Bathinda under Sections 307/323/506/148/149 IPC, are that he along with his co-accused namely Arman, Tulsi, Sunil and Ajay had assaulted the complainant Sunil @ Kullu on the night of 11.06.2015.

Allegations against the petitioner as per the contentions are that he was only driver of the motorcycle on which the other accused were sitting pillion. Even argument of the learned counsel for

the petitioner as to the applicability of Section 307 IPC could not be refuted by learned State counsel as neither any surgical notes, CT scan or any vital body signs could reflect as to the seriousness of the injured as a consequence of these injuries. The petitioner is stated to be in custody since 17.06.2015.

Taking into consideration the submissions made by counsel for the petitioner coupled with the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 5, 2015

rps