

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

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**Criminal Misc. No.M-35855 of 2015
Date of decision: October 30, 2015**

Labhu Singh and others

....Petitioners

versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. H.S. Gill, Senior Advocate with
Mr. R.K. Dhiman, Advocate for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioners, namely, Labhu Singh, Leela Singh, Amrik Singh and Mandeep Singh @ Jhali in case FIR No.57 dated 21.07.2015 registered under Sections 324/323/148 read with Section 149 of the Indian Penal Code(Sections 325 and 326 IPC are added later on) at Police Station Kot Dharmu, District Mansa during the pendency of the trial.

Learned counsel for the petitioners submits that the injuries attributed to the petitioners are simple in nature except the injury which

falls under Section 326 IPC has been attributed to petitioner No.1, namely, Labhu Singh. The petitioners are in custody for the last more than two months and nothing is to be recovered from them. Co-accused of the petitioners have already been released on anticipatory bail.

After hearing arguments of learned counsel for the petitioners, when the Court is not inclined to grant regular bail to petitioner No.1, learned counsel for the petitioners submits that he may be permitted to withdraw the present petition qua petitioner No.1.

The present petition qua petitioner No.1, namely, Labhu Singh stands dismissed as withdrawn.

Learned State counsel submits that the petitioners are having remedy under Section 167(2) Cr.P.C. as challan has not been presented.

Keeping in view the role of petitioners No.2 to 4 as all the injuries to the petitioners are simple in nature and they are in custody for the last more than two months, co-accused of the petitioners have already been released on anticipatory bail, the present petition is allowed and petitioners No.2 to 4, namely, Leela Singh, Amrik Singh and Mandeep Singh @ Jhali are directed to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court.

October 30, 2015
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(DAYA CHAUDHARY)
JUDGE