

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36759 of 2015

Date of decision: November 04, 2015

Rajinder Singh Gill

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Amrik Singh Kalra, Advocate
for the petitioner.

Mr. J.S. Sekhon, AAG Punjab.

Mr. H.S. Bhinder, Advocate
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.47 dated 25.03.2015, under Sections 323, 307, 34, 120-B of Indian Penal Code, 1860, registered at Police Station Laddowal, District Ludhiana.

Prosecution story, in brief, is that on 21.03.2015 at about 9:15 P.M., complainant was attacked by the petitioner and his co-accused who were armed with *dangs*.

Learned counsel for the petitioner has submitted that no specific injury was attributed to the petitioner. Injury on the nose of the complainant was declared to be grievous in nature. In fact, the complainant was got medically examined after seventeen hours of the alleged occurrence. Learned counsel has further submitted that there was no medical

opinion on record that any of the injuries suffered by the complainant was dangerous to life. Most of the injuries suffered by the complainant were abrasions/bruises.

Learned State counsel who is assisted by the learned counsel for the complainant, on the other hand have opposed the petition.

In the present case, petitioner is in custody since 05.09.2015. Complainant had suffered simple injuries except one injury, i.e. injury No.12 which was on his nose and the same was declared to be grievous in nature. Admittedly, there is no medical opinion on record to suggest that any of the injury on the person of the complainant had been declared dangerous to life. Complainant was discharged from the Hospital after about three days of his admission.

Keeping in view the facts and circumstances of the present case, 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, Ludhiana.

**(SABINA)
JUDGE**

November 04, 2015
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