

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38140-2015 (O&M)

Date of Decision: December 14, 2015

Sukhwinder Singh @ Joti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Amrik S. Rattniya, Advocate,
for the petitioner.

Mr. K.S. Pannu, DAG, Punjab,
for the respondent.

1. *Whether Reporters of local papers 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?*

NARESH KUMAR SANGHI, J (Oral)

CRM-40361-2015:

Prayer in this criminal miscellaneous application, filed under Section 482, Cr.P.C., is for placing on record documents (Annexures P-3 to P-5).

After hearing learned counsel for the parties and going through the contents of the application, documents (Annexures P-3 to P-5) are permitted to be taken on record, subject to all just exceptions.

Criminal miscellaneous application stands disposed of.

CRM-M-38140-2015:

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of bail to the petitioner, Sukhwinder Singh @ Joti, son of Gurmail Singh, resident of village Rupana, Tehsil and District Sri Muktsar Sahib, who has been booked for having committed the offences punishable under Sections 148, 307, 323, 324, 326, 452 and 506 read with Section 149, IPC, in a case arising out of FIR No. 55, dated 25.5.2015, registered at Police Station, Sadar, Sri Muktsar Sahib.

Learned counsel contends that the petitioner, Sukhwinder Singh @ Joti, has been attributed a simple injury by means of sword on the right ear of Jasneet Singh. He further submits that the injuries attracting the mischief of Sections 307 and 326, IPC, have been attributed to the co-accused of the petitioner, who has already been granted bail. He further contends that the petitioner is behind the bars from 8.9.2015 and after completion of the investigation, the charge-sheet (challan) has been presented and, as such, the investigation qua the petitioner is complete. He further contends that the petitioner is

neither required nor involved in any other case.

Learned counsel for the State has very fairly conceded that the petitioner has been attributed a simple injury attracting the mischief of Section 324, IPC. He, however, submits that with the aid of Section 149, IPC, the petitioner has committed the offence punishable under Section 307, IPC.

After hearing learned counsel for the parties and taking into consideration the facts and circumstances of the case, the present petition is accepted. The petitioner, Sukhwinder Singh @ Joti, son of Gurmail Singh, resident of village Rupana, Tehsil and District Sri Muktsar Sahib, is ordered to be released on bail during pendency of the trial subject to his furnishing bail bonds to the satisfaction of learned Judge, Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

(NARESH KUMAR SANGHI)
JUDGE

December 14, 2015
Pkapoor