

CRM-M-39477-2014 (O&M)

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

CRM-M-39477-2014 (O&M)

Date of Decision: January 13, 2015

Makhan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.P.S.Brar, Advocate
for the petitioner.

Mr.Shilesh Gupta, Addl.A.G., Punjab.

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NARESH KUMAR SANGHI, J.(ORAL)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Makhan Singh, who has been booked for having committed the offences punishable under Sections 148 and 307 read with Section 149, IPC, and Sections 25 and 27 of the Arms Act, in a case arising out of FIR No.100, dated 11.08.2014, registered at Police Station, Badhni Kalan, District Moga.

Learned counsel contends that only fist blows causing simple injuries to injured Gagandeep Singh have been attributed to the petitioner, who is behind the bars from

03.09.2014. After completion of the investigation, the charge-sheet has already been submitted before the learned Court below. After commitment of the case to the Court of Session, even the charges have been framed, therefore the further incarceration of the petitioner in the present case is of no worth.

Learned counsel for the State, on instructions from ASI Balwinder Singh of Police Station, Badhni Kalan. District Moga, very fairly concedes that the petitioner has been attributed simple injuries by means of fists on the person of Gagandeep Singh. The injury attracting the mischief of Section 307, IPC, was attributed to the non-applicants, Manpreet Singh and Sukhraj Singh.

After hearing the learned counsel for the parties and going through the material available on record, the present petition is allowed. Petitioner- Makhan Singh son of Jagtar Singh, resident of village Kussa, Tehsil Nihal Singh Wala, District Moga, is ordered to be released on bail during pendency of the trial of the present case subject to his furnishing bail bond to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate, Moga.

January 13, 2015
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(NARESH KUMAR SANGHI)
JUDGE