

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M- 39719 of 2015

.....

Date of decision:30.11.2015

Buta Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.92 dated 17.6.2015 (Annexure-P.1) registered for the offences under Sections 307, 452, 323, 325 and 149 IPC and Section 3 of SC & ST (Prevention of Atrocities) Act at Police Station Baghapurana, District Moga.

Notice of motion to Advocate General, Punjab.

On the asking of the Court, Ms. Simsi Dhir Malhotra, learned Deputy Advocate General, Punjab has put in appearance and accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Punjab appearing for the respondent-

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State and have gone through the record.

From the record, I find that first of all no injury has been declared as dangerous to life. One injury on toe has been declared grievous. The other injuries are stated to be simple injuries. Buta Singh is stated to be armed with 'Dang'.

The petitioner is in custody since 18.6.2015. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

November 30, 2015.

(Inderjit Singh)
Judge

hsp