

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

CRM No.M-4104 of 2015

Date of Decision: 13.2.2015

Hardeep

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr.H.S.Thiara, Advocate for the petitioner.

Mr.J.S.Sekhon, AAG Punjab for the State.

MEHINDER SINGH SULLAR , J. (Oral)

The petitioner has preferred the instant petition for the grant of concession of regular bail, in a case registered against him along with his mother Harpal Kaur and sister Lovely, vide FIR No.69 dated 19.11.2012 (Annexure P1), on accusation of having committed the offences punishable under sections 316 and 323 read with section 34 IPC, by the police of Police Station Satnampura Phagwara, Distt. Kapurthala.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable help and considering the entire matter deeply, to my mind, the present petition for regular bail deserves to be accepted in this respect.
4. Precisely, the prosecution, inter-alia, claimed that on 15.10.2012, the petitioner and his other co-accused have caused injuries to

complainant Preeti d/o Nachhater Singh (for brevity “the complainant”). All the injuries, except injury No.3 on the person of the complainant, are simple in nature. The injury No.3 was stated to have terminated her pregnancy. It is not a matter of dispute that, initially, the instant case was registered against the petitioner, his mother Harpal Kaur and sister Lovely. During the course of investigation, the police found Harpal Kaur & Lovely, as innocent, to whom, the similar allegations were leveled and exonerated them.

5. Moreover, the petitioner was arrested on 7.3.2013. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous involvement in any other criminal case. The final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the totality of the peculiar facts & special circumstances, emanating from the record, as indicated here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petition for regular bail is accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

7. Needless to mention that nothing observed, here-in-above, would reflect, on merits of the main case, in any manner, during the course of trial, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail.

(Mehinder Singh Sullar)
Judge

13.2.2015
AS