

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-43739 of 2014

Date of Decision: 4.5.2015

Rajwinder Singh alias Raj

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Darshan Singh.

Present: Mr. Nandan Jindal, Advocate
for the petitioner(s).

Mr. Neeraj Yadav, Assistant Advocate
General, Punjab for the respondent.

Mr. D.S.Malwai, Advocate
for the complainant.

Darshan Singh, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "Cr.P.C.") for seeking regular bail to the petitioners, namely Rajwinder Singh alias Raj and Balwinder Singh alias Whishky in case FIR No. 98 dated 3.9.2014, registered under Sections 308, 341, 506, 323, 325, 120-B, 148 & 149 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC") at Police Station Longowal, District Sangrur.

2. It is the admitted case that name of both the petitioners do not figure in the FIR. Their names have been revealed in the supplementary statement recorded on 3.9.2014. Even as per the allegations made in the supplementary statement, petitioner No.1-Rajwinder Singh alias Raj gave a baseball bat blow on the left shoulder of the complainant,

whereas petitioner No.2-Balwinder Singh alias Whishky gave an iron rod blow on his right shoulder. It has not been disputed at bar that the injury attributed to Balwinder Singh alias Whishky is simple in nature. The injury attributed to Rajwinder Singh alias Raj was earlier attributed to co-accused Dalwinder Singh in the FIR. Both the petitioners are in custody since 11.10.2014 i.e. for the last more than 6½ months. The case is pending at the stage of procuring the presence of additional accused, who were summoned under Section 193 Cr.P.C. So, the conclusion of the trial will take time.

3. In view of above circumstances, the present petition is hereby allowed and the petitioners, namely Rajwinder Singh alias Raj and Balwinder Singh alias Whishky are ordered to be released on bail on their furnishing requisite bail bonds & surety bonds to the satisfaction of the Chief Judicial Magistrate, Sangrur.

(Darshan Singh)
Judge

May 4, 2015
"DK"