

CRM-M-43847 of 2014
Date of Decision: 08.01.2015

Balwinder Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Ishaan Pasricha, Advocate
for the petitioner

Mr. Sandeep Kumar Bansal, AAG, Punjab
for the respondent-State

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioner prays for grant of regular bail in FIR No. 48 dated 30.4.2014 for offence punishable under Sections 326, 324, 323 read with Section 34 of the Indian Penal Code (in short "IPC"), registered at Police Station, Shri Hargobindpur, Tehsil Batala, District Gurdaspur.

Counsel for the petitioner inter alia contends that the petitioner has been remanded to judicial custody and, therefore, no longer required for the purpose of investigation. The injury constituting offence punishable under Section 326 IPC is on non vital part of the body i.e. left wrist. The petitioner is ready to face trial in accordance with law. The last submission made by counsel is that the present case is a case of version and cross version and it is yet to be established during trial as to who is the aggressor.

Counsel for the State of Punjab, on instructions from ASI Santokh, Police Station, Shri Hargobindpur, Tehsil Batala, District, Gurdaspur, has not disputed the factual assertions but opposed the prayer for bail.

Without meaning to express any opinion on merits of the controversy, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate, Gurdaspur on his furnishing bail bonds to its satisfaction subject to the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without previous permission of the Court.

(REKHA MITTAL)
JUDGE

08.01.2015
PARAMJIT