

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

Crl.Misc.No.M-7562 of 2015(O&M)

Date of Decision : 09.04.2015

Shinda Ram

....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Deepak Gupta, Advocate for
 Ms. Mansi Bansal, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 113 dated 14.11.2014 registered under Sections 308, 506, 34 IPC at Police Station Sangat, District Bathinda.

The petitioner is accused of having given a kassi blow to the complainant on account of a dispute over sharing of waters for irrigation.

Learned counsel for the petitioner contends that dispute had erupted in the heat of moment and the petitioner is in custody since 16.11.2011 and challan has been submitted which facts have not been controverted by the respondents who however states that the injury caused on the head of the complainant with a spade was of a serious nature.

On due consideration of the matter and noticing the fact that the dispute had erupted between the petitioner and the complainant on account of sharing of water for the irrigation purposes and further noticing the fact that the petitioner is in custody since November, 2014 and the challan

having been submitted, I am of the view that further incarceration of the petitioner would be unnecessary. Hence, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

April 09, 2015
rekha

(Mahesh Grover)
Judge