

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

**CRM No.M-7897 of 2015
Date of Decision: 19.03.2015**

Jaswant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HONBLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. J.S. Thind, Advocate for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No.279 dated 14.12.2014 under Sections 452, 323, 324, 326, 148 and 149 of the Indian Penal Code ('IPC' for short) registered at Police Station Gharinda, District Amritsar.

Learned counsel for the petitioner submits that the offences alleged against the petitioner were triable by the Magistrate and no injury on any vital part of any of the injured was attributed to the petitioner. He also places reliance on the order dated 02.03.2015 passed by this Court in the case of his co-accused Sikander Singh, who was granted concession of bail pending trial by this Court. He prays for allowing this petition.

Notice of motion.

On the asking of the Court, Mr. K.D. Sachdeva, Addl. AG, Punjab accepts notice on behalf of the State.

Learned counsel for the State on instructions from ASI Avtar Singh, Police Station Gharinda, District Amritsar, submits that petitioner was carrying sharp edged weapon and gave injury to the two injured including the complainant. Although, injuries were on non-vital part of the body yet, since the petitioner was the main accused and he is not entitled for

bail pending trial, at this stage.

Having heard the learned counsel for the parties at considerable length and after careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the peculiar facts and circumstances of the case, petitioner deserves concession of bail pending trial. It is so said because both the injuries attributed to the petitioner have been found on non-vital parts of the body. Since the report under Section 173 Cr.P.C. has not been presented before the Court so far, the trial will take long time.

In view of the above, present petition is allowed and the petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, Amritsar.

19.03.2015*Bhumika***(RAMESHWAR SINGH MALIK)
JUDGE**