

MAMTA MALHOTRA
2016.08.02 16:07

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

**(i) Criminal Misc.No.M-15340 of 2016(O&M)
Date of decision: 02nd August, 2016**

Avtar Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

(ii) Criminal Misc.No.M-6458 of 2016(O&M)

Amit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Bains, Advocate,
for the petitioners in Criminal Misc.No.M-15340 of 2016.

Mr. Rajinder Singh Rana, Advocate,
for Mr. Rai Singh Chauhan, Advocate
for the petitioner in Criminal Misc.No.M-6458 of 2016.

Mr. Arshdeep S.Kler, DAG, Punjab
for the respondent(s)-State.

INDERJIT SINGH, J.

This order shall dispose of Criminal Misc.No.M-15340 of 2016, filed by petitioners Avtar Singh and Jaswinder Singh and Criminal Misc.No.M-6458 of 2016, filed by petitioner Amit Kumar, under Section 439 Cr.P.C., for grant of regular bail in case FIR No.37 dated 03.03.2015, registered at Police Station Garhshankar, District Hoshiarpur, under Sections 308, 323, 324, 148, 149 IPC.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

Though, the injured is stated to have received about 46 injuries but mainly, the injuries are abrasion and contusion. Only one injury is

stated to be caused with sharp edged weapon. Five injuries have been declared grievous. As argued, no injury has been declared dangerous to life. Even the injuries collectively are not declared dangerous to life. Learned counsel for petitioner Amit Kumar states that petitioner Amit Kumar also received eleven injuries and it is a case of version and cross version. Both the learned counsel for the petitioners state that the petitioners are in custody since 06.11.2015.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and also keeping in view the facts that no injury has been declared dangerous to life, the petitioner-accused Amit Kumar has also stated to have received injuries, the petitioners are not required for investigation or interrogation purposes and nothing is to be recovered from them as they are in judicial custody, the trial of the case will take long time and no useful purpose will be served by keeping them in custody, both the petitions are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds in the sum of `50,000/- with one surety in the like amount each to the satisfaction of trial Court/Duty Magistrate.

02nd August, 2016
mamta

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No.