

**Sr. No. 218
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M- 15237 of 2015
Date of Decision: 01.03.2016**

Babbu Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. J.S.Brar, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.63 dated 15.07.2014, under Sections 307, 459, 380 and 511 of Indian Penal Code, registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

Counsel for the parties have been heard.

As per prosecution version, Harnavjot Singh aged about 18 years was assaulted by the present petitioner on the intervening night of 14/15.07.2014 at about 2.30 A.M. Allegation against the present petitioner is with regard to being armed with a knife and having given a blow on the right side of the chest of injured Harnavjot Singh.

Petitioner was arrested on 19.07.2014.

During the course of arguments, it has gone uncontroverted that in the trial statements of injured Harnavjot Singh

PW-1 as also his father Mohinder Pal Singh PW-3 and Major Singh PW-4, who were stated to be eye witnesses to the occurrence, have been duly recorded and all the three witnesses have not supported the prosecution version.

Without making any observations on merit and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

Disposed of.

01.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**