

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

CRM-M-17794 of 2016 (O&M)
Date of decision : 14.07.2016

Ranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Navkiran Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by HC Paramjit Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.81 dated 23.06.2015, registered under Sections 308, 325, 323 and 148 read with Section 149 of the Indian Penal Code (for short 'IPC'), at Police Station Chabbewal, District Hoshiarpur.

The learned counsel for the petitioner contends that the incident took place on 27.03.2015, whereas, FIR was registered on 23.06.2015. No role is ascribed to the petitioner in the FIR, however, subsequently after the lapse of about 4 months, supplementary statement was made, wherein the petitioner was stated to have been caused injury with stick (Daang) blows

on the upper part of the left ear and left shoulder and gave blows from corner of the stick in the stomach of the complainant. The petitioner is in custody since 25.02.2016.

On the other hand, the learned State counsel submits that as the dispute is *inter se* the brothers, efforts were made by the elders of the family members to compromise the matter. The complainant gains nothing by delaying the registration of the FIR. He further states that two of the accused, namely, Rajinder Singh and Vijay Singh have not been arrested so far and proceedings to declare them proclaimed offender were initiated by the competent Court. He submits that the challan stands presented.

Keeping in view the fact that the dispute is *inter se* the brothers, they have been residing in the same house, petitioner is in custody since 25.02.2016, challan stands presented, there is considerable delay in lodging the FIR and recording the supplementary statement, no useful purpose would be achieved in keeping the petitioner behind the bars.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

14.07.2016

ashok

(JITENDRA CHAUHAN)
JUDGE