

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-22418 of 2016

Date of decision : August 10, 2016

Gurdev Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. KBS Mann, Advocate, for the petitioner
Mr. C.S.Brar, DAG, Punjab, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Gurdev Singh in this regular bail under section 439 Cr.P.C. are that on 23.5.2009 he along with co-accused has assaulted the complainant side. It is contended on behalf of counsel for the petitioner that the lone injury is attributed to the petitioner though not specifically mentioned in the FIR but subsequently in the evidence it has been detailed to be the one on the right elbow which learned State counsel submits falls under section 326 IPC. However, learned State counsel has contended that nothing is tangible by X-ray examination to show it so though on behalf of learned State counsel it is submitted that the petitioner was earlier declared proclaimed offender and the fact that in the light of the submissions of the counsel for the petitioner he surrendered on 19.8.2015.

Keeping in view the period of custody and the role assigned to the petitioner , without going into the merits of the case, this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail on furnishing heavy surety bond to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

The present petition stands disposed off accordingly.

August 10, 2016
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No