

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

CRM-M-22931 of 2016

Date of Decision: October 21, 2016

Gurmail Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amardeep Singh Mann, Advocate
for the petitioner.

Mr. Gurveer Sidhu, AAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner-Gurmail Singh in this regular bail application under Section 439 Cr.P.C are that on 23.6.2015 he along with his co-accused/non-applicant assaulted complainant side with *Soties*.

Learned counsel for the petitioner contends that the petitioner is only attributed single blow of *soti* on the non-vital part and that he has already undergone incarceration for a period of more than 5 and a half months and that there is no medical evidence to support attraction of Section 308 IPC.

Learned State counsel has stoutly opposed the grant of bail to the petitioner in view of the number of injuries and seriousness of the allegations.

Appreciating the submissions, the petitioner is attributed only simple injuries on the non-vital part and has undergone sufficient period of incarceration and that the very applicability of offence under Section 308 IPC is a debatable issue as subsequently this offence has

been added.

In view thereof and keeping in view that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

Petition stands disposed off.

(FATEH DEEP SINGH)
JUDGE

October 21, 2016

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No