

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

CRM-M No.26178 of 2016

Date of decision: September 19, 2016

Maninder Singh @ Manna

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Arora, Advocate
 for the petitioner.

 Mr. R.P.S. Sidhu, AAG, Punjab
 for the respondent-State.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Section 439 of Code of Criminal Procedure, petitioner has sought regular bail in case bearing FIR No.195 dated 24.10.2015, under Sections 323, 324 and 326 of Indian Penal Code registered at Police Station Sadar, District Jalandhar.

Undisputedly, petitioner was arrested in this case on 5th February, 2016. After his custodial interrogation, he was referred to judicial lockup, meaning thereby, he was not required for further interrogation/investigation. Moreover, after completion of the investigation, report under Section 173(2) Cr.P.C. was presented in the Court of jurisdictional Magistrate and the trial Court is seized of the matter. The disposal of the challan is not likely in the near future. Though the instant FIR has been registered under Sections 323, 324, 326 of the Indian Penal Code but on the basis of surgical opinion, injury No.3 which otherwise falls within the ambit of Section 326 IPC, has been declared simple in nature. Further it is very strange that though two fingers of the hand have been alleged to be chopped off or amputated, still injury No.3 has been opined to be simple in nature.

Without commenting upon the report of Emergency Medical Officer but taking into consideration other aspects of the case, petition is allowed and petitioner is ordered to be released on bail at the satisfaction of the concerned trial Court/Duty Magistrate.

September 19, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No