

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

**Crl. Misc. No. M-30503 of 2016**

**Date of Decision:05.09.2016**

Nachhatter Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr.Sarbjit Singh, Advocate for the petitioner.

Mr.Gurinderjit Singh, DAG, Punjab.

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**HARI PAL VERMA J.(Oral)**

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.39, dated 22.06.2016 for offence under Sections 326/324/323/34 IPC, registered at Police Station, Valtoha Distt. Tarn Taran.

Learned counsel for the petitioner contends that apart from the fact that there is delay of 04 days in lodging the abovesaid FIR, injury attributed to the petitioner is on non-vital part of the complainant. He further submits that the petitioner is in custody since 24.06.2016 and trial in the case will take sufficient long time to conclude, as even charge has not been framed in the case.

On the other hand, learned counsel for the State on instructions from ASI-Nirmal Singh, submits that in the case in hand, challan is presented on 29.08.2016 and the case is now fixed for framing of

charge on 10.10.2016. He further submits that the injury attributed to the petitioner on the wrist of the injured with a sword.

I have heard learned counsel for the parties.

Considering the fact that petitioner is in custody since 24.06.2016, coupled with the fact that the injury attributed to the petitioner is on non-vital part of the injured as well as the fact that the trial in the case will take sufficient long time to conclude, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

**(HARI PAL VERMA)**  
**JUDGE**

05.09.2016  
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No