

**Sr. No. 217
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-34737 of 2015
Date of Decision: 28.01.2016**

Rajdeep Singh alias Raju

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. L.S.Sidhu, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.31 dated 24.04.2015, under Sections 307/326/324/323 of Indian Penal Code, registered at Police Station Ajitwal, District Moga.

Counsel for the parties have been heard.

FIR was registered on the statement of injured complainant Resham Singh. Occurrence is stated to be of 20.04.2015. As per initial statement of the injured, it was the present petitioner who had inflicted injuries with a spade. As per MLR, 13 injuries were found on the person of the complainant and it was injury No.1 which was opined to be dangerous to life and thereby attracting offence under Section 307 IPC.

Petitioner was arrested on 25.04.2015. Investigation in the case having been completed, challan was presented and even

charges have been framed.

It has gone uncontroverted during the course of hearing today, complainant/injured Resham Singh who is the real brother of the present petitioner has been examined before the trial Court as PW-2 and he had not supported the prosecution version. Rather he has resiled from his initial statement and has stated that on 20.04.2015, when he was present in the fields, some unknown person with a muffled face had caused injuries with a spade. Resham Singh has further stated that the accused/present petitioner who was present in the Court did not cause any injury.

It appears that a compromise/settlement has been effected between the parties who happen to be real brothers.

Without making any observations on merits, petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Moga.

Disposed of.

28.01.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**