

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

CRM-M No.36661 of 2016
Date of decision: 25th October, 2016

Chetan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. C.S. Rana, Advocate for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Chetan in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.108 dated 07.06.2016 registered at Police Station Shimlapuri, District Ludhaina under Sections 323/325/452/307/506/148/149 IPC, are that on 20.07.2016 he along with his co-accused/non-applicant had assaulted the injured Jarnail Singh brother of the complainant Balwinder Singh.

Contentions of the learned counsel for the petitioner are that only simple injuries, though by means of a Datar, have been attributed to the petitioner but there is nothing substantial by way of medical evidence to reflect the gravity of these injuries and thus, has put to question the very applicability of Section 307 IPC and that the petitioner is in custody since 20.07.2016.

The factual scenario could not be displaced by learned State counsel who has readily acceded to the same on instructions from ASI Balvir Singh, Police Station Shimla Puri.

In the light of submissions made by learned counsel for the petitioner and the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 25, 2016

rps

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