

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

Sr. No.212

CRM No. M-38941 of 2016

DECIDED ON: December 20, 2016

HARPREET SINGH @ HANI

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Harmanpreet Kaur (Simmi),
Advocate, for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

JASPAL SINGH, J. (ORAL)

Through the instant petition preferred under Section 439 Cr.P.C., petitioner has sought the concession of bail pending trial, in case bearing FIR No.49, dated March 26, 2016, under Sections 324, 323, 506, 34 IPC (Section 326 IPC added later on vide rapat No.33, dated May 17, 2016), registered at Police Station Civil Lines, District Bathinda.

No doubt, an injury which falls within the ambit of Section 326 IPC has been attributed to the petitioner alleged to have been caused by him with iron rod on the forehead of the brother of the complainant, yet the petitioner is suffering incarceration since the date of his arrest i.e. 12.08.2016. It is also an undisputed fact that on conclusion of investigation, report under Section 173(2) Cr.P.C. has already been presented and at present, petitioner is in judicial lock up meaning thereby, his further custodial interrogation is not required. Otherwise also, brother of the

complainant was discharged from the hospital on July 30, 2016. The disposal of trial would certainly take long time. This Court is of the considered view that it would not be desirable to keep the petitioner behind the bars for an indefinite period.

Taking into consideration all the above-said aspects but without expressing any opinion on the merits of the case, instant petition stands allowed. Petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

December 20, 2016*Avin/Ankur***(JASPAL SINGH)
JUDGE****Whether Speaking/Reasoned****Yes/No****Whether Reportable****Yes/No**