

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

**CRM-M No.40279 of 2015 (O&M)
Date of Decision: 05.01.2016**

Jaswinder Singh @ Jassi @ Jassi Bhullar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Harphool Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.224 dated 27.11.2013, under Sections 307, 308, 325, 341, 323, 148, 149 of the Indian Penal Code (Section 307, IPC added later on), registered with Police Station City Kot-Kapura, District Faridkot.

As per the allegations in the FIR, petitioner/accused-Jaswinder Singh @ Jassi @ Jassi Bhullar along with nine other co-accused, armed with various weapons, waylaid the complainant-Vijay Kumar and his friend-Jagat Singh and inflicted several injuries upon them.

The motive for causing injuries is the friendship of the complainant-Vijay Kumar and injured-Jagat Singh with one Harjit Singh.

Learned Counsel for the petitioner submits that the petitioner has been attributed a *Kirpan* blow on the palm of the left hand of the injured/complainant-Vijay Kumar. He further submits that the said injury has been opined to be grievous in nature. The petitioner is further stated to be in custody since 24.04.2014.

It is contended that the offence under Section 307, IPC has been added by the prosecution without there being any medical opinion of the Doctor apart from the fact that on an application under Section 319 Cr.P.C. additional accused have been summoned resulting into a *de novo* trial.

Learned State Counsel, assisted by ASI Harphool Singh, does not refute the aforesaid factual contention.

Without commenting on the merits of the case, keeping in view the custody period, the nature of the injury attributed and the fact that the trial is not likely to conclude in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

January 05, 2016
Gagan

(JASWANT SINGH)
JUDGE