

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

CRM-M-43239 of 2016 (O&M)

Date of decision: 22.12.2016

Jindu Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. APS Deol, Sr. Advocate with
Mr. H.S. Deol, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. J.S. Moudgill, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 6 dated 21.01.2016, registered under Sections 307, 324 and 323 read with Section 34 of IPC, at Police Station Boha, District Mansa.

It is contended that the petitioner allegedly gave a gandas blow on the head of the injured, Gurmail Singh. As per the MLR, the injury has been noticed as simple in nature. The petitioner is behind the bars for the last more than three months.

On the other hand, learned State counsel opposes the bail application.

The learned counsel for the complainant states that as many as four injuries were given by the petitioner and co-accused.

I have heard learned counsel for the parties and perused the record.

As per the reply filed on behalf of the State, injury No.2 attributed to the petitioner has been stated to be not enough to cause death. Though as per record, injury No.2 has been stated to be simple in nature but in the reply it has been stated to be not sufficient to cause death. The investigation stands concluded; challan has been presented; therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of CJM/Illaq Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

22.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No