

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

**CRM-M-43521-2016
Date of Decision :13.12.2016**

Deepak Kumar @ Deepu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr.Suneet P. Singh Aulakh, Advocate, for the petitioner.

Mr. P.S.Paul, Deputy Advocate General, Punjab

FATEH DEEP SINGH, J. (ORAL)

The allegations against the petitioner-Deepak Kumar @ Deepu 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 Ludhiana under Sections 307, 323, 325, 452, 148, 149, 506 IPC, are that on 07.06.2016 the petitioner along with his co-accused non-applicant assaulted Jarnail Singh. The contentions of the learned counsel for the petitioner are that all the injuries on the person of the victim are not grievous and that the very applicability of Section 307 IPC is a debatable issue.

The factual aspect has not been controverted by the learned State counsel.

Appreciating the submissions and keeping in view the own stand of the State that there is no medical evidence that any of the injuries on the person of the victim is covered under Section 307 IPC and its very applicability being a debatable issue and the submissions of counsel for the petitioner that the petitioner is in custody since 20.07.2016 and that the trial

is not likely to be concluded in near future, impels this Court to allow bail.

In view thereof and keeping in view that the culpability, if any, shall be determined at the time of trial which is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything to the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The petition stands disposed off.

(FATEH DEEP SINGH)
JUDGE

December 13, 2016

Sunil Devi

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