

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4720 of 2016 (O&M)

Date of Decision: 01.3.2016

Harmandar Singh @ Harminder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.P.S. Sidhu, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

Mr. O.P. Kamboj, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.79 dated 11.11.2015 under sections 326, 324, 295, 295-A, 506, 34 I.P.C registered at Police Station, Mallanwala, District Ferozepur.

Learned counsel for the parties have been heard.

F.I.R came to be registered on the statement of Harnek Singh. Occurrence is stated to be of 3.11.2015 at about 8 A.M. The complainant is stated to have been assaulted by the present petitioner along with co-accused Major Singh, Manjinder Singh and Sukhdev Singh. In so far as the present petitioner is concerned, he was stated to have been armed with a *Kirch* and has allegedly given a *Kirch* blow on the neck of the complainant.

Petitioner was arrested on 27.12.2015.

Learned State counsel upon instructions from ASI Sukhpal Singh would submit that even though the challan is yet to be presented but the investigation has been completed.

It would be apposite to take note that even though the occurrence was stated to be of 3.11.2015, yet, the F.I.R was lodged on 11.11.2015. In so far as the injury attributed to the present petitioner i.e. injury no.1 on the neck, a second opinion from Dr. Kushal Deep Singh, E.N.T Surgeon on the basis of C.T. Scan report was sought and as per such opinion there is a neck laceration with sharp margins but with no injury to the great vessels.

Apart from investigation having been completed even the injured/complainant Harnek Singh is stated to have been discharged from the hospital on 12.11.2015.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Ferozepur.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

01.3.2016

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