

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6088-2016

Date of decision: July 11, 2016.

Kuldeep Singh

... **Petitioner**

v.

State of Punjab

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Jasraj Singh, Advocate for the petitioner.

Ms. Rimplejeet Kaur, Assistant Advocate General, Punjab.

Shri Rajesh Dadwal, Advocate for the complainant.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

A.B. Chaudhari, J. (Oral):

Heard Learned Counsel for the rival parties in FIR No.109 dated 30.8.2015, registered under Sections 323, 324, 307, 341, 379, 34 IPC (Section 326 IPC and Section 66 of the IT Act added later on) at Police Station Mantiana, District Hoshiarpur.

The petitioner is in jail since 1.1.2016. Prima-facie from the injury report, I find that the injuries were declared as simple injuries though one injury was declared grievous injury. Looking to the injury report, I think that there is no point in continuing the petitioner in jail since he is already in jail since 1.1.2016. At the same time, the court will have to

protect the interest of the prosecution.

In that view of the matter, counsel for the petitioner states that the petitioner would reside at Kapurthala and would enter the District of Hoshiarpur except only on the dates of hearing before the Sessions Court.

In this view of the matter, I make the following order:-

ORDER

- (i) the petition bearing CRM-M-6088-2016 is allowed;
- (ii) the petitioner is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of Chief Judicial Magistrate, Hoshiarpur;
- (iii) the petitioner will not enter District Hoshiarpur save and except for the dates fixed before the trial court;
- (iv) in the event of petitioner absenting during trial, this order shall be recalled and he shall be sent to jail;
- (v) the petitioner will not tamper with the prosecution evidence and reservation is given in favour of the police for cancellation of bail in such an eventuality.

July 11, 2016.
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[**A.B. Chaudhari**]
Judge