

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

CRM-M No. 6227 of 2016 (O&M)

Date of Decision: 04.03.2016

Sukhpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Munish Bansal, Advocate
for the petitioner.

Mr. Mikhail Kad, AAG, Punjab
for the respondent/State assisted by ASI Gora Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure, is for grant of regular bail on behalf of the accused/petitioner-Sukhpal Singh in case FIR No. 115, dated 15.08.2015, for offences punishable under Sections 326, 324, 148, 149 of the Indian Penal Code, registered at Police Station Raman, District Bathinda.

For the occurrence on the early morning of 13.08.2015, the aforesaid FIR was lodged by Ranjit Singh (complainant), wherein it is stated that co-accused/non-applicant-Vasakha Singh, his son/present accused/ petitioner-Sukhpal Singh, armed with *Gandasa*, co-accused/non-applicants-Deepu Singh and Jeewan Khan, armed with *Daang*, respectively, and Charanjit Kaur (wife of Vasakha Singh) came to the house of the complainant party, the present petitioner is alleged to have given a *Gandasa* blow towards the head of the complainant-Ranjit Singh, while he raised his hand to save himself, suffered a cut on middle finger of his right hand. Complainant is also alleged to have been given beatings by all the members of the accused party.

It is submitted that as per the MLR, only one incised wound on the middle finger of the right hand of the complainant was found and that too got conducted much after the MLRs conducted of three accused persons, who are stated to have also suffered injuries as per MLRs (Annexure P-2). It is, thus, submitted that injuries suffered by the complainant is self-suffered injury and due to the political influence, their version has been recorded while no action has been taken on the cross-version. It is also stated that the petitioner is in custody since 29.01.2016 and investigation qua him is over.

Learned State Counsel, assisted by ASI Gora Singh, is unable to refute the custody period of the petitioner, as also the investigation qua the petitioner is over.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner and the fact that investigation qua the petitioner is over, no useful purpose would be served by keeping the petitioner/accused in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

March 04, 2016

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**(JASWANT SINGH)
JUDGE**