

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

***CRM No.M-7946 of 2016
Date of decision:17.03.2016***

Ashok Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. AGS Dhillon, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.356 dated 08.11.2015, under Sections 307/353/186 IPC and Sections 61/1/14 of the Excise Act, registered at Police Station Tripuri, District Patiala.

As per prosecution version on 08.11.2015 a nakabadi was laid by a police party headed by ASI Darshan Singh near Thapper College, Patiala and a car bearing registration No.PB-11-AV-3523 allegedly driven by the present petitioner was signaled to stop and instead of stopping the car, the petitioner is stated to have attempted to run the car over the police party and in which HC Satnam Singh suffered injuries.

The car having struck against the barricade, the petitioner is stated to have fled away. ASI Jatinder Kumar is stated to have identified the petitioner. From the search of the vehicle, 25 boxes of country made liquor was effected.

Petitioner was arrested on 15.12.2015.

Investigation in the case having been completed, challan has

been presented on 11.03.2016. The trial as such would take time to conclude.

Learned State counsel upon instructions from HC Jasvir Singh has produced for perusal of this Court during the course of hearing the MLR of HC Satnam Singh and the same would show two simple injuries i.e. a defused reddish swelling around the right eye and a defused reddish swelling on the head.

Under such circumstances, the issue as to whether offence under Section 307 IPC is made out against the present petitioner would be a moot question to be considered during the course of trial.

In view of the above and without making any observations on merits, the present petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Patiala.

Disposed of.

17.03.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**