

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

**CRM-M No.8576 of 2016 (O&M)
Date of Decision: 28.05.2016**

Hardev Singh @ Dev

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Manpreet Singh Longia, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Kesar Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner-accused Hardev Singh @ Dev in case FIR No.98 dated 15.06.2015, under Sections 307, 452, 324, 323, 506, 34 of the Indian Penal Code, registered with Police Station Kurali, District S.A.S.Nagar **(Annexure P-1)**.

For the occurrence on 14.06.2015 at around 09:30 PM, there is a version got recorded by the complainant-Sukhwinder Singh registered as aforesaid FIR (**P-1**) and a cross-version recorded by Jagtar Singh (son of the petitioner-accused) as DDR No.21 dated 15.06.2015 (**Annexure P-2**), registered with Police Station City Kurali.

The complainant alleges that on account of a previous grudge, the accused party comprising petitioner-accused Hardev Singh @ Dev, his son-Jagtar Singh, Binder Singh, all armed with *Kirpans*, and Bikram @ Bika, armed with *Iron Rod*, entered his house at night and launched an attack upon him and Kuldeep Singh. The complainant is also alleged to have been

dragged out in the street. The complainant received five injuries and Kuldeep Singh received four injuries including grievous and dangerous to life.

The role attributed to the petitioner/accused is of having raised a *lalkara* and inflicted *Kirpan* blow on the head of the complainant and also a general allegation of causing an injury to injured-Kuldeep Singh.

It is contended that there is a version and cross-version of the occurrence on account of an altercation between co-villagers where both sides have received injuries. It is submitted that Balwinder Singh has received two incised wounds including one on the head as per the MLR (**Annexure P-3**) and Jagtar Singh (son of the petitioner) has received two injuries including an incised wound on the left hand as per the MLR (**Annexure P-4**).

It is next contended that the petitioner is in custody since 31.10.2015 and after completion of the investigation, the challan stands presented on 18.02.2016 and evidence of the prosecution witnesses is yet to commence, and the trial is not likely to conclude in near future.

Learned State Counsel, assisted by HC Kesar Singh, does not dispute the custody period and that the challan stands presented, as also the injuries suffered by two persons on the side of the accused party.

Without commenting on the merits of the case, keeping in view the above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 28, 2016
Gagan

(JASWANT SINGH)
JUDGE