

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

CRM No. M-13518 of 2017 (O&M)

Date of Decision: 26.05.2017

Prem Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Vinod Bhardwaj, Advocate for the petitioner.

Mr. Varun Sharma, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.59, dated 28.07.2015, under Sections 324/34 IPC (Section 307 IPC added subsequently), registered at Police Station Rureke Kalan, District Barnala.

Counsel for the parties have been heard at length.

FIR came to be registered on the statement of Gagandeep Singh. Occurrence is stated to be of 26.07.2015. The specific attribution to the present petitioner is of having inflicted a *kirch* blow in the abdominal area of the complainant.

It is a case of version and cross version.

The cross version recorded at the instance of the present petitioner had attracted offence under Section 325 IPC and which subsequently had been enhanced to Section 308 IPC. As per cross version, both the legs of the present petitioner have been fractured and had to be operated upon.

Petitioner was arrested on 31.08.2016.

It has gone uncontroverted that the complainant Gagandeep Singh is himself an accused in FIR No.0052, dated 15.06.2016, under Sections 302/323/148/149 IPC, registered at Police Station Rureke Kalan, District Barnala and his presence having been secured through production warrants, his examination-in-chief has been recorded in the present case before the trial Court.

In the totality of circumstances and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Barnala.

Disposed of.

26.05.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |