

219

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

CRM-M-16822 of 2017

Date of decision: September 06, 2017

Pushpinder Singh @ Tau

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Ms. Anjali Khosla, Advocate for
Mr. Naresh Jain, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.5 dated 09.01.2016, under Sections 324, 323, 506, 148, 149, 326-A, 308 of Indian Penal Code, 1860, registered at Police Station Khanauri, District Sangrur.

The role attributed to the petitioner is that the petitioner had given a *kirpan* blow on the head and as such, blood started oozing out from the head of the complainant. Others also assaulted the complainant. Looking to the nature of injury, the petitioner is entitled to grant of bail.

Learned State counsel, on instructions from the police official states that there are 11 cases against the petitioner of assault.

Learned counsel for the petitioner submits that out of those 11 cases, in 9 cases, the petitioner has been acquitted and the present

one is out of the same lot of 11 cases.

Indeed, the conduct of the petitioner is such that he should not be released on bail, but then, I find that the challan has been filed and the trial will take its own time and the petitioner having been acquitted in 9 cases and further looking to the nature of injury caused, the petitioner is entitled to grant of bail.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not enter the limits of Tehsils Patra and Moonak till the trial is completed. Petitioner shall attend the police station concerned where he resides on every Monday, Wednesday and Sunday between 11:00 AM to 4:00 PM every week. If the petitioner is seen within the limits of both the abovesaid Tehsils, police shall be at liberty to apply for cancellation of this bail order. Petitioner shall file an undertaking before the trial Court that he will not indulge in similar or any other kind of offence in future. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

September 06, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No