

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

CRM-M-17251 of 2017

Date of Decision: May 26, 2017

Gurbhej Singh

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Bikramjit Singh Randhawa, Advocate
for the petitioner.

Mr. Arshdeep Kaler, AAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that on 08.10.2016 the petitioner armed with *datar* along with his co-accused Kashmir Singh armed with *dang* had assaulted the complainant Amar Singh, his wife Manpreet Kaur and mother Mohinder Kaur and caused injuries which except one on the head are opined to be simple in nature.

The contentions of the learned counsel for the petitioner that the petitioner is behind the bars since 18.4.2017 and there is nothing suggestive to bring the offence within the ambit of Section 326 IPC.

Learned State counsel has sought to oppose the grant of bail on the grounds that the petitioner was instrumental in causing injuries on the vital parts and, thus, he is not entitled to concession of bail.

Appreciating the submissions, perusal of the entire Police records including the medical shows that there is nothing concrete brought about either in X-rays or CT-Scan which could bear out the injuries

on the head to be covered under Section 326 IPC. More so, the entire bed head ticket does not reflect any vital body signs or any treatment given to the patient are matters which affect the very veracity of the prosecution story.

Thus, without adverting anything on the merits of the case and in view of the lackadaisical approach of the Investigating Officer together with the fact that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

May 26, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No