

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

CRM-M No.20027 of 2017
Date of decision: 5th July, 2017

Jagtar Singh Billa @ Kuldeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Jasvir S. Dhaliwal, Advocate for the petitioner.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Jagtar Singh Billa @ Kuldeep Singh in this anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.50 dated 27.08.2016 under Sections 307/342/506/323/148/149 IPC registered at Police Station Jhunir, District Mansa, are that he along with his co-accused Subhash Kumar on 27.08.2016 assaulted complainant Jagtar Singh victim. It is own stand of the learned State counsel that injury for which offence under Section 307 IPC has been added is a grievous blunt injury on the non-vital part of the body i.e. leg of the victim.

Learned State counsel could not impress this Court of any medical evidence to show how the injury endangered life of the victim. Thus, a debatable issue arises as to the applicability of Section 307 IPC

together with the fact that similarly placed co-accused Subhash Kumar has already been granted similar relief vide orders dated 22.02.2017 and thus, even as per the principle of parity petitioner is entitled to grant of bail.

Accordingly, in the event of arrest, the petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

July 5, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No