

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

CRM No.M-26216 of 2017 (O&M)

Date of decision: August 4, 2017

Tarsem Lal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sumer Singh Brar, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Tarsem Lal, has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.75 dated 11.05.2016, registered at Police Station Rahon, under Sections 307, 326, 324, 323 and 34 of the Indian Penal Code.

Notice of motion has been issued.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab, has put in appearance on behalf of the respondent-State and Ms. Deepsikha Chohan, Advocate has put in appearance on behalf of the complainant and both of them contested the instant petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record. Police record has also been perused.

From the record, I find that the present petitioner is named in the FIR. He is stated to be armed with *kahi*. He gave one injury on the head

of the complainant and his son-Naresh Kumar, also gave another injury on

the head of the complainant and both these injuries cumulatively have been declared dangerous to life. The co-accused namely Naresh Kumar has already been granted the concession of anticipatory bail by this Court.

It is a case of version and cross-version and it is yet to be determined by the learned trial Court on the basis of evidence as to who was the aggressor party. Moreover, the petitioner as well as his son namely Naresh Kumar also received simple as well as grievous injuries in the occurrence.

The petitioner has been in custody since 30.11.2016. He is not required for any investigation or interrogation purposes. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

August 4, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No