

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

CRM-M No.2880 of 2017

Date of decision: 18th May, 2017

Paramjit Singh @ Captan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Mr. R.S. Randhawa, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Paramjit Singh alias Captan in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.60 dated 30.04.2014 registered at Police Station City Malout, District Sri Muktsar Sahib under Sections 307/341/325/506/148/149 IPC, are that on 30.04.2014 the petitioner armed with Kapa along with his co-accused Jaskaran Singh armed with iron rod, Satpal alias Satta armed with stick, Ajay Kumar armed with stick, Jagseer Singh alias Raliela armed with iron rod, Gurpreet Singh armed with stick and Gurmeet Singh Khokhar armed with stick raised lalkara and assaulted the complainant side causing injuries to complainant Dhalwinder Singh and Sarmukh Singh.

Contentions of the learned counsel for the petitioner are that the petitioner is behind bars since 20.11.2016 and that the medical opinion has categorically opined the injuries to be simple in nature and it is merely on the uncorroborated opinion of Deputy DA (Legal) offence under Section 307 IPC has been added.

Learned State counsel with all fairness has conceded at the bar that there is nothing suggestive by way of medical evidence to show any of these injuries being dangerous to life thus, a debatable issue having arisen as to applicability of Section 307 IPC together with the fact that petitioner is behind bars since long time, impels this Court to allow the prayer made.

Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 18, 2017

rps

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