

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

**CRM-M-29481-2017
Date of decision :29.09.2017**

Rajinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. Navdeep Monga, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

Mr. Parveen Sharma, Advocate
for respondent No.2.

H.S. MADAAN, J. (Oral)

This is an application for regular bail filed by petitioner –
Rajinder Singh an accused in FIR No.93 dated 25.06.2017 under Sections
323, 308 IPC registered at Police Station Dasuya, District Hoshiarpur.

Briefly stated the facts as per prosecution story are that on
21.06.2017 at about 7 p.m. in the area of village Jogiana, Police Station
Dasuya, Tehsil Dasuya, District Hoshiarpur petitioner / accused - Rajinder
Singh had thrown his father Multan Singh thrice with an intention /

knowledge to cause his death. The FIR was registered on the basis of statement of Roshni Devi wife of the injured. The petitioner was arrested in this case. He had moved an application for grant of regular bail, which was dismissed by learned Sessions Judge, Hoshiarpur vide order dated 31.07.2017, as such, he has approached this Court praying for grant of similar relief, notice of application was given to the State, who had put in appearance.

I have heard learned counsel for the parties, besides going through the record.

It is stated that the complainant and injured have since furnished the affidavits that Multan Singh was not inflicted injuries by their son Rajinder Singh – accused, as a matter of fact he had fallen down due to old age and high blood pressure, in the process suffering injuries. Affidavit of complainant – Roshni Devi be taken on record.

Roshni Devi – complainant is present in person, who is identified by Sh. Parveen Sharma Advocate, who is representing her.

There is certificate by Sarpanch of the village to that effect also.

Learned State counsel states that it has come in the notice that injured has made such statement during investigation.

It is dispute between father and son. Under these circumstances I am of the view that it would be proper and appropriate if the concession of regular bail is granted to the petitioner. Moreover, conclusion of trial will take long time, hence no useful purpose will be served by keeping him the bar any more. Therefore, in view of the abovesaid circumstances, this

petition is accepted. Petitioner – Rajinder Singh be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned CJM / Duty Magistrate, Hoshiarpur.

CJM / Duty Magistrate, Hoshiarpur may impose any terms and conditions found suitable to ensure that the petitioner does not abscond or try to tamper with the prosecution evidence.

29.09.2017
Gaurav Sorot

(H.S. MADAAN)
JUDGE

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**