

206.

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

CRM-M-32068-2017

Date of decision:05.09.2017

RASHPAL SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gurpreet Singh Sandhu, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.180 dated 17.07.2017 under Sections 308/342/323/34 IPC, registered at Police Station Nathana, District Bathinda.

Learned counsel for the petitioner states that the petitioner is in custody since 17.07.2017 and the case was registered on the basis of statement of complainant-Yadwinder Singh, who is the real brother of the petitioner. The allegation against the petitioner is that he has caused injury on the person of Yadwinder Singh with rod blow which hit on the left side of the head of the complainant. He further states that it being a dispute between two real brothers, the matter has been compromised between the parties and the complainant has made a

statement before the learned Additional Sessions Judge that he has no objection in case the petitioner is admitted on bail.

On the other hand, learned State counsel on instructions from HC Kaur Singh does not dispute the aforesaid fact regarding the statement made by the complainant before the learned Additional Sessions Judge. However, he states that taking into consideration the injury caused by the petitioner, he (petitioner) is not entitled to be released on regular bail. However, as regards the medical report, he submits that the report from Orthopaedician and the Chest specialist doctor is awaited .

I have heard learned counsel for the parties.

The petitioner is in custody since 17.07.2017. The trial in the case will take sufficient long time. Even otherwise, the injured-complainant has come forward and made a statement before the learned Additional Sessions Judge that he has compromised the matter with the petitioner. The report from the Orthopaedician and the Chest specialist doctor is still awaited, though the incident has occurred on 16.07.2017.

In view of above, present petition is allowed and the petitioner is admitted on bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court.

(HARI PAL VERMA)
JUDGE

05.09.2017
sanjeev

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