

211.

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

CRM-M-35617-2017

Date of decision:15.11.2017.

DINESH KUMAR @ DES RAJ

... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Arpan Sabharwal, Advocate,
for the petitioner.

Mr. M.S. Nagra, 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.114 dated 04.06.2017 under Sections 323, 452, 506, 120-B, 34 IPC (Section 308 IPC added lateron), registered at Police Station Goraya, District Jalandhar Rural.

Learned counsel for the petitioner states that the offence under Section 308 IPC was added lateron. Though the incident occurred on 27.05.2017 at about 9:30 PM, but the FIR in question was registered on 04.06.2017 despite the fact that the injured was discharged from the hospital on 01.06.2017. Therefore, there is delay in lodging the FIR. Apart from the fact that the petitioner is in custody for the last about 4 ½ months and the prosecution evidence is yet to begin,

as out of total of 15 witnesses cited by the prosecution, none has been examined so far.

Learned State counsel has argued that as per the medical report received from the Dayanand Medical College & Hospital, Ludhaina, injury No.1 is stated to be dangerous to life, though the weapon used was blunt in nature. No other case has been pointed out against him.

I have heard learned counsel for the parties.

Considering the fact that the offence under Section 308 IPC added lateron, the weapon used is blunt and the petitioner is in custody for more than 4 ½ months coupled with the fact that no other case has been pointed out against him and the trial in the case will take sufficient long time, he is admitted on bail subject to his furnishing adequate bail/surety bonds to the satisfaction of the trial Court.

Accordingly, present petition is allowed.

(HARI PAL VERMA)
JUDGE

15.11.2017
sanjeev

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