

CRM-1798-2017 in/and
CRM-M-36670-2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-1798-2017 in/and
CRM-M-36670-2016
Date of Decision: 08.02.2017

Krishan Lal @ Kala

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate,
for the applicant-petitioner.

Mr. K.S. Pannu, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

CRM-1798-2017

This is an application under Section 482 Cr.P.C., seeking to place on record copies of the post mortem report and statement of PW-1, as Annexures P-3 and P-4.

The application is allowed subject to just exceptions.

Copies of the post mortem report and statement of PW-1 are taken on record as Annexures P-3 and P-4.

CRM-M-36670-2016

This petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No. 233 dated 30.10.2014, registered at Police Station City Kotkapura, District Faridkot, for the alleged commission of offences punishable under Sections 302/148/149/120-B of the IPC.

Learned counsel for the petitioner submits that the injury

attributed to the petitioner, Krishan Lal @ Kala, is not on a the vital part of the

body and he has also been in custody for a sufficiently long time.

He further submits that that the trial is virtually on hold at present as an application under Section 319 Cr.P.C. has been filed by the learned public prosecutor, seeking arraignment of three more people as accused, which is pending for the past six months and has still not been decided.

A perusal of the post mortem report which has been placed on record today by learned counsel for the petitioner as Annexure P-3, shows, as pointed out by learned State counsel also, that injury no. 8 is attributable to the petitioner, which is a 'Reddish Bruise 6.0 c.m. x 3.0 c.m.' on the outer aspect of the right upper arm. A perusal of the FIR shows that the petitioner, Krishan Lal @ Kala, is alleged to have given a blow with the handle of a hand pump on the right bicep of the deceased, Gurjeet Singh alias Deepu.

Keeping in view the aforesaid facts cumulatively, including the fact that the injury attributed to the petitioner is not on a vital part of the body and he has also been in custody since 30.10.2014, and the fact that the trial is likely to take long as yet, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court further subject to any condition that would be laid down by that Court.

It is made clear that this order granting bail to the petitioner is only in the specific circumstances aforesaid including the single injury attributed to him being only one on the bicep.

February 08, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.