

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

CRM-M No.36161 of 2017

Date of decision: 3rd October, 2017

Balwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Manpreet Singh, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Dy. Advocate General, Punjab
for the respondents/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Balwinder Singh in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.126 dated 30.06.2017 registered at Police Station Dharamkot, District Moga under Sections 323/324/34 IPC, are that on 26.06.2017 petitioner armed with Kirpan along with his co-accused/non-applicants Smt.Joginder, Harnam Singh and Tara Singh, mother, father and brother of the petitioner respectively all empty handed, have assaulted Fauja Singh. Petitioner is attributed two injuries, one to the complainant which is simple in nature and the other to Gurdev Singh by virtue of which his little finger of right hand has been partially chopped off.

Contentions of the learned counsel for the petitioner are that the petitioner is behind bars for almost two months and that the very prosecution story is highly implausible as there is a land dispute between

the parties who are from the same very family and these injuries have been attributed to falsely implicate the petitioner.

On behalf of the State, Mr. Ajay Pal Singh Gill, Dy. Advocate General, Punjab has stoutly opposed grant of the relief on the grounds of heinousness of the offence submitting further that offence under Section 326 IPC has been attracted.

Appreciating the submissions, keeping in view that the nature of injury alleged to be on the little finger is subject to judicial determination together with the fact that parties are correlated to each other and that the investigation and trial are not likely to conclude in near future, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Moga.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 3, 2017

rps

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