

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

CRM -M-3647 of 2017 (O&M)

Date of decision: 13.02.2017

Gurvinder Singh @ Gobinda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Satwant Mehta, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 78 dated 25.05.2016, registered under Sections 307, 326, 324 and 323 read with Section 34 of IPC, at Police Station Gharinda, District Amritsar.

The learned counsel for the petitioner refers to Annexure P-3, the MLR and X-ray report of the petitioner to contend that the petitioner received two injuries including fracture which is made out from the opinion as reflected in the report dated 04.06.2016 prepared by the Department of Forensic Medicine and Toxicology, Govt., Medical College, Amritsar. The petitioner is in custody since 29.06.2016.

On the other hand, learned State counsel opposes the bail application and states that the petitioner armed with datar gave two blows which landed on vital parts i.e. on left eye and side of neck of the complainant.

I have heard learned counsel for the parties and perused the record.

Considering the fact that it is a case of version and cross version; the petitioner is in custody since 29.06.2016; the challan stands presented; charges have been framed; out of 15 PWs, none has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

13.02.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No