

CRM No. M-40858 of 2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-40858 of 2017
Date of Decision : 09.11.2017

Karnail Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Kanisth Ganeriwala, Assistant Advocate General,
Punjab.

Mr. H.B.S. Badwan, Advocate for the complainant.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking regular bail in FIR No. 104 dated 13.06.2017, under Sections 302, 323, 324, 325, 307, 506, 148, 149, 120-B IPC and Sections 25/27 of Arms Act, registered at Police Station Samana, District Patiala.

Learned counsel for the petitioner contends that the allegations against the petitioner, who is 75 years in age, are that he had raised a Lalkara and given a stick blow on the waist of the injured, Sewa Singh. He further contends that the allegation with regard to the injuries on the deceased are attributed to co-accused, namely, Gurmail Singh. Learned counsel further contends that the petitioner had earlier undergone Coronary Heart bypass surgery in the year 2015 and a copy of the medical certificate in this regard is appended as Annexure P-4. He has now again been advised to undergo Percutaneous Angioplasty by the Department of Cardiology, PGI, Chandigarh and a copy of the

medical certificate in this regard is appended as Annexure P-6. Learned counsel also contends that the petitioner is in custody since his arrest on 04.07.2017.

Learned State counsel upon instructions from ASI Sarbjit Singh states that the investigation has been completed, challan has been filed in Court and the matter is now fixed for prosecution evidence on 17.11.2017.

Learned counsel for the complainant states that two other accused have not been apprehended and the petitioner was, in fact, the person, who has instigated the attack.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when only a Lalkara and a stick blow on the waist of injured has been attributed to the petitioner and he is suffering from Cardiac ailment, it would be appropriate if the petitioner is granted the concession of regular bail.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Karnail Singh is ordered to be released on regular bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

November 09, 2017
kanchan

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>