

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

CRM-M No.5839 of 2017

Date of decision: 28th February, 2017

Maninder Singh @ Lucky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. A.P. Kaushal, Advocate for the petitioner.

Mr. Gurinderjit Singh, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Maninder Singh @ Lucky in this petition under Section 439 Cr.P.C. seeking regular bail in case FIR No.108 dated 07.06.2016 registered at Police Station Shimlapuri, District Ludhiana under Sections 307/325/323/452/148/149/506 IPC, are that on 07.06.2016 the petitioner along with his co-accused non-applicant have assaulted the victim, Jarnail Singh brother of the complainant and the petitioner is attributed only single injury by means of Datar on the face whereas the co-accused has been attributed four injuries on different parts of the body.

Contentions of the learned counsel for the petitioner are that the petitioner is in custody since 13.10.2016 and that there is no medical evidence to attract offence under Section 307 IPC.

The same is sought to be opposed by learned State counsel on the grounds of heinousness of the offence and seriousness of the allegations.

Appreciating the submissions, to the very query of the Court learned State counsel could not convince by any medical evidence applicability of Section 307 IPC thus a debatable issue has arisen over it and the fact that the petitioner is behind bars since long time together with the fact that the investigation and trial will take a long time to conclude, 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, Ludhiana.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

February 28, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No