

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

CRM-M No.6871 of 2017

Date of Decision: 29.03.2017

Lachhman Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Nishan Singh Chahal, Advocate,
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

Mr. P.K.S. Phoolka, Advocate,
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 269 dated 11.12.2016, under Sections 326, 451/324/148 and 149 I.P.C. (Section 326 I.P.C. was added vide rapat No. 15 dated 13.12.2016) at Police Station Nathana, District Bathinda.

The FIR was registered in respect of an occurrence, which took place on 06.12.2016, when the complainant and Amarjit Kaur were going to serve meals to Sukhmander Singh in the fields. Jagsir Singh, son of the petitioner, made a *lalkara* and

thereafter, the petitioner along with other accused came to the spot. Rani Kaur gripped with the complainant and overpowered her with her both arms. Darshan Singh gave *takua* blow on the head of Amarjit Kaur. The petitioner gave a *gandasi* blow on the head of the complainant and the ladies-accused started giving fist blows. On raising alarm, the accused fled away from the spot. The allegation was also made that during the scuffle, gold chain of the complainant weighing two and a half tolas also disappeared.

During the course of investigation, DDR No. 13 dated 13.12.2016, was also registered as a cross case by the police, but later on, the same was found to be false and the injuries received by the accused side were observed to be self suffered injuries.

There is no mention about the alleged self suffered injuries of the petitioner in the FIR got recorded by the complainant side.

The lodging of the FIR on 11.12.2016 in respect of an occurrence of 06.12.2016 and thereafter, factum of DDR, once recorded by the police would be debatable with reference to medical opinion on record during the trial of the case.

Learned State counsel on instructions from ASI Jasbir Singh states that the challan shall be presented within a

period of one week.

The petitioner is in custody since 04.01.2017.

In view of the facts and circumstances involved in the case, without embarking upon the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate, Bathinda.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 29, 2017
Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No