

Sr. No.210

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-7811 of 2017 (O&M)

Date of Decision:15.03.2017

Kehar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vipin Mahajan, Advocate,
for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.02 dated 08.01.2017, under Sections 326/323/324/452/506/148/149 of Indian Penal Code, registered at Police Station Dorangla, District Gurdaspur, Punjab.

FIR came to be registered on the statement of Bakshish Singh in relation to an alleged occurrence that took place on 05.01.2017. It is alleged that the complainant and also his two sons were assaulted and injured in the occurrence.

During the course of arguments, it has gone uncontroverted that the role attributed to the present petitioner is of being armed with a dang and being present at the spot.

There is no overt role or injury attributed to the petitioner.

Learned State counsel upon instructions from ASI Sarup Singh apprises the Court that the offence attracting Section 326 IPC is attributed to co-accused Sukhjeet and Shamsher who were stated to be armed with a

sword and a datar respectively.

It is also not in dispute that Sardool Singh, Balbir Singh and Malkiat Singh and against whom there were similar allegations have been granted interim bail by this Court in the light of order dated 28.02.2017 in CRM No.M-5970 of 2017.

Even though, the matter is stated to be still at the stage of investigation, yet in the light of role attributed to the present petitioner, this Court is of the considered view that he would be entitled to the benefit of bail. Petition is allowed.

Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Gurdaspur.

Disposed of.

15.03.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No