

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

1. CRM-M No.8059 of 2017

Sunny

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.8066 of 2017

Babloo

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 14th March, 2017

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vaibhav Narang, Advocate for the petitioners.

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

FATEH DEEP SINGH, J. (ORAL)

Since both these regular bail applications of petitioners Sunny and Babloo have arisen out of the same very FIR, are thus being disposed off together by way of this common order.

Allegations against the petitioners in these two petitions filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.194 dated 29.11.2016 registered at Police Station B Division, District Commissionerate Amritsar under Sections 323/324/326/34 IPC, are that on 22.11.2016 they have caused injuries to Shiva alias Bhallu son of Swaran Kumar. Petitioner Babloo is attributed a blow with Datar on the forehead which is opined to be grievous in nature whereas his co-accused

petitioner Sunny is attributed similar blow on the head of the victim which has been declared as simple.

Contentions of the learned counsel for the petitioners are that petitioner Babloo is behind bars since 16.12.2016 and petitioner Sunny since 18.12.2016 and that there is no evidence to aver the injuries under the head grievous.

Though on behalf of the State, Mr. Gurinderjit Singh, Dy. Advocate General, Punjab on instructions from ASI Satnam Singh has sought to stoutly oppose grant of bail to the petitioners however, at the very initiation of arguments to the very specific query of the Court learned State counsel was clearly at loss of words how the medical evidence happen to bring the injuries within the definition of grievous in nature and the learned counsel could not bring forth any x-ray or report of the concerned Doctor who conducted the examination.

In view thereof and the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioners in the present case is unwarranted. Accordingly, they are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Both the petitions stand disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 14, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No