

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

CRM-M-10677-2018 (O&M)

Date of decision:04.05.2018

Babbu Singh

... Petitioner

Vs.

State of Punjab & another

... Respondents

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

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

CRM-15415-2018:

Application is allowed as prayed for. Deposition of Bogha Singh @ Buta Singh before the trial Court as PW1 is taken on record as Annexure P-5.

Application is disposed of.

Main case:

Petitioner seeks benefit of regular bail pending trial in case FIR No.204, dated 06.08.2017, under Sections 325/323/34 IPC (Section 308 IPC has been added subsequently vide Rapat No.13 dated 18.08.2017), registered at Police Station Talwandi Sabo, District Bathinda.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Bogha Singh @ Buta Singh in relation to an occurrence dated 04.07.2017 during night hours.

Prosecution version is that the present petitioner has given

pava blows on the head and nose of the complainant-Bogha Singh @ Buta Singh.

Petitioner was arrested on 08.11.2017.

Investigation having been completed, challan was presented and even charges were framed.

During the course of arguments, it has gone uncontroverted that complainant-Bogha Singh @ Buta Singh has been examined before the trial Court and as per his deposition at Annexure P-5, he has not supported the prosecution version and has been declared hostile.

In view of the above and coupled with the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, concerned.

04.05.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No