

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

**CRM-M No.12308 of 2018  
Date of Decision: 24.04.2018**

**Gurjit Singh @ Nikku  
Vs**

**.....Petitioner**

**State of Punjab and another**

**.....Respondents**

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

Present: Mr. M.S. Kang, Advocate  
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. Amit Dhawan, 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.168 dated 25.09.2017 registered under Sections 307, 325, 324, 323, 341, 506, 34 IPC and Sections 25/27/54/59 of the Arms Act at Police Station Mehatpur, Tehsil Nakodar, District Jalandhar.

FIR was registered with the allegations that on 25.09.2017, when the complainant along with his brother Satwinder Kumar @ Rinku was coming from the fields to their

house on a motorcycle, then a swift car came in front of the motorcycle and stopped. Petitioner was armed with rifle. He was accompanied by Balkarn Singh @ Bara who was armed with datar and 2/3 persons who were armed with dandas. Nikku allegedly fired from his rifle, which hit on the right thigh of the brother of the complainant namely Satwinder Kumar @ Rinku.

Satwinder Kumar @ Rinku was hospitalized in Kamal Hospital, Nakodar, where he remained admitted from 25.09.2017 to 28.09.2017. The injured left the hospital against medical advise on 28.09.2017. Injury No.2 found on his person was a circular lacerated wound on the back of the right thigh. Opinion regarding nature of injury and type of weapon used qua injury No.2 could not be given by the doctor and the same was kept pending for opinion of Ballistic expert. The opinion could not be given as the patient had left the hospital against medical advise. Thereafter, injured was got admitted in Government Hospital i.e. Punjab Institute of Medical Science. The opinion was sought in respect of injury No.2, but the same was not given on the ground that treating doctor of previous hospital would be in a position to give opinion qua the said injury. So far as, injuries No.3, 8 and 9 are concerned, the opinion was given that the injuries could be considered dangerous to life, but for timely medical aid.

The aforesaid statement of fact could not be denied by learned State Counsel on instructions from ASI Baljeet Singh duly assisted by learned counsel for the complainant.

The challan has already been presented. *Prima facie* opinion in respect of injury No.2 was not collected by the police. The nature of injury in respect of injury No.2 would remain debatable so as to attract complicity of the petitioner in terms of offence under section 307 IPC. Petitioner is in custody since 04.10.2017.

At this stage, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

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

April 24, 2018.

*Prince*

**(RAJ MOHAN SINGH)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No