

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

Hemlata
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CRM-M-12727-2018(O&M)

Date of decision: 24.04.2018

Sardool Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.S.Pheruman, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') is for grant of regular bail to the petitioner in case FIR No. 213 dated 06.10.2017 under Sections 308, 323, 427, 148, 149 of IPC, registered at Police Station Jandiala, District Amritsar (Rural).

Learned counsel for the petitioner submits that the petitioner is in judicial lock up since 23.10.2017 and there is no specific opinion of the doctor regarding injury No.1 declaring it dangerous to life. Counsel for the petitioner further submits that the investigation is complete and challan has been presented, however, no evidence has been recorded so far and it will take long time in conclusion of the trial.

Learned State counsel has filed the custody certificate and on the basis of the opinion of the doctor given by the Department of Forensic Science and Laboratory, Government Medical College, Amritsar, submits that the injury No. 1 is declared grievous in nature as per Sub-Clause (6) of Section 320 IPC.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial lock up since 23.10.2017 and no evidence has been recorded so far; conclusion of the trial will take long time, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing the concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

24.04.2018

Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No