

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

**CRM-M No.21862 of 2018
Decided on: 14.08.2018**

Hakam Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Amandeep Chhabra, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.29 dated 16.02.2018, for offence punishable under Sections 341, 323 read with Section 34 IPC (Sections 308 and 326 IPC added later), registered at Police Station Sangat, District Bathinda.

Counsel for the petitioner has submitted that the petitioner is aged about 50 years and he is in custody for the last more than 05 months and he is not involved in any other case. It is further submitted that the corresponding injury invoking Section 308 IPC is attributed to co-accused namely Jasvir Singh, who allegedly gave a rod blow on the head as well as on the face of the complainant. It is also submitted that the petitioner is attributed an injury on the non-vital part of the body.

Counsel for the State, on instructions from ASI Nishawan Singh, has submitted that challan has already been presented, charges have been framed and the case is now fixed for prosecution evidence. It

is also submitted that out of 11 prosecution witnesses only 01 PW has been examined so far.

Without commenting anything on merits of the case and considering the fact that the petitioner is aged about 50 years; he is not involved in any other case; he is attributed simple injury; he is in custody for the last more than 05 months and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

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

14.08.2018	(ARVIND SINGH SANGWAN)
<i>yakub</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No