

CRM-M-27131-2018

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

CRM-M-27131-2018

Date of Decision: 03.07.2018

Lakhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

INDERJIT SINGH, J.

Petitioner-Lakhwinder Singh has filed this second petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.48 dated 08.06.2017, registered at Police Station Longowal, Sangrur, under Sections 307, 323, 324, 341 and 34 of the Indian Penal Code.

Notice of motion has been issued. On the asking of Court, Mr. Ramandeep Sandhu, Sr. DAG, Punjab has accepted notice on behalf of the respondent-State. Mr. B.S.Cheema, Advocate has also appeared and filed power of attorney on behalf of the complainant.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that the petitioner was earlier found innocent in a detailed inquiry and was not challaned. Now during the pendency of trial, the petitioner has been summoned under Section 319

Cr.P.C. Though in the FIR, the petitioner has been named and specific

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injury has also been attributed to him, but during the inquiry, he has been found innocent. All these facts are to be determined by the trial Court after evidence. The present petitioner is now only to face the trial. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. It is ordered that if the petitioner surrenders before the trial Court within 10 days, he shall be released on bail by the trial Court to its satisfaction.

03.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No