

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

266

CRM-M-27559-2018 (O&M)

Date of Decision: 13.09.2018

JAGSIR SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL.

Present:- Mr. Jagraj Singh Khiva, Advocate,
for the petitioner.

Mr. J.S. Walia, Sr. DAG, Punjab.

Mr. Manjot Singh Tiwana, Advocate,
for the complainant.

SUDHIR MITTAL, J. (Oral)

1 Petitioner seeks regular bail in case FIR no.27 dated 18.04.2018, registered at Police Station City-2, Mansa, District Mansa, Punjab, under Sections 308, 323 and 34 of IPC.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. A perusal of the admission of the complainant shows that he was smelling alcohol when he was brought to the hospital. In fact, a minor scuffle took place between two neighbouring families and as a result thereof, the complainant fell down on the brick lane street and suffered the injury. The petitioner has been in custody since 24.04.2018. The investigation is complete and, thus, the petitioner deserves to be released on regular bail.

3. The prayer is opposed by the learned State counsel as well as learned counsel for the complainant on the ground that the petitioner is the

main accused. He hit the complainant with a brick, resulting in the fracture on his skull. It is, however, not denied that the investigation is complete and that the trial is about to commence.

4. Keeping in view the fact that the petitioner has remained in custody for about five months and that the examination of PWs has not yet commenced, I deem it appropriate to grant regular bail to the petitioner. As to whether the injuries were suffered by the complainant on account of fall or the same was inflicted by the petitioner is a moot point in this case and shall be decided at the time of trial. The petitioner does not have any other criminal antecedents and, thus, keeping him behind the bars for an indefinite period, would not be in the interest of justice.

5 Accordingly, petition is allowed and the petitioner-Jagsir Singh is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

September 13, 2018
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>