

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

213

CRM-M-29198-2018

Date of Decision:07.09.2018

Baldev Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Naveen Bawa, Advocate,  
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

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HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.134 dated 24.06.2017 under Sections 323/324/148/149 IPC (Sections 307/326 IPC were added later on), registered at Police Station Beas, District Amritsar.

Learned counsel for the petitioner has argued that though the alleged occurrence has taken place on 09.06.2017, whereas injured-Hardial Singh was medico legally examined on 16.06.2017. He further states that the complainant in this case has already been examined and the trial will take a long time.

Learned State Counsel on instructions from ASI Sawinder Singh states that the petitioner is instrumental in causing injury to complainant-Hardial Singh and as per medico legal report, injury No.1 was found to be dangerous to life, which is an open wound of size 8.1x6.2 cm

placed over left lateral aspect of abdomen 21 cm below the left axilla.

Redness around the wound granulation tissue and pus present.

I have heard learned counsel for the parties.

During the course of arguments, it has been brought to the notice of this Court that the occurrence in this case has taken place on 09.06.2017. Even the petitioner's side also got injuries and the cross-version case was recorded. The culpability as regards offence under Section 307 IPC is yet to be established, more particularly when injury on the person of the complainant was attributed on 09.06.2017 and he was medico legally examined on 16.06.2017 i.e. after a gap of around 07 days. Only the complainant has been examined in this case. In this manner, the other prosecution witnesses are yet to be examined and trial in this case will may take long time. The petitioner is in custody since 01.09.2017, therefore, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not put any undue influence or threat to the witnesses.

**September 07, 2018**

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**(HARI PAL VERMA)**

**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No