

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

Sr.No.224

**CRM-M No.35991 of 2018
Date of Decision:14.09.2018**

Marshal Kanda

....petitioner

Versus

State of Punjab

.....respondent

CORAM: HON'BLE MR.JUSTICE ARVIND SINGH SANGWAN

Present: Ms.Sarika Gupta, Advocate
for the petitioner

Mr.J.P.Ratra, DAG Punjab

ARVIND SINGH SANGWAN, J. :

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.60 dated 27.03.2018, for offence punishable under Sections 308,506,341,436,323,427,148,149 IPC(Sections 308 and 436 subsequently deleted and Section 435 IPC added and challan under Sections 506,341,435,323,427,148,149,379-B,201 IPC was presented) registered at Police Station City Phagwara, District Kapurthala.

Reply by way of affidavit of Assistant Superintendent of police, Sub Division Phagwara, District Kapurthala,dated 13.09.2018 has been filed in the Court and the same is taken on record. As per the reply, the damage caused by the petitioner to the property of the complainant Charanjit Singh is to an extent of Rs.57,843/-

Learned counsel for the petitioner submits that apart from this case, the petitioner is not involved in any other case and he is ready to compensate the complainant of the amount equivalent to the damage caused to his property.

A perusal of the affidavit shows that the motorcycle bearing No.PB 36-D 8673 was burnt in the occurrence and the approximate damage caused, as per the assessment made by an authorised dealer is Rs.57,843/-.

Considering the fact that the petitioner is in judicial custody since 12.06.2018 and the injury attributed to the petitioner was declared simple in nature and it was at the right knee of the victim, the petitioner is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate and also a bank draft of Rs.58,000/- favouring the complainant, be handed over to the complainant.

The petition stands disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

14.09.2018

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Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No