

S.No.214

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

CRM-M-41039 of 2018 (O&M)

Date of Decision:04.12.2018

Harmail SinghPetitioner

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Parminder Singh-I, Advocate
for the petitioner.
Mr. Hittan Nehra, Addl. AG, Punjab.
Mr. H.S. Jalal, Advocate for the
complainant.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.65 dated 22.05.2018 registered under Sections 307, 325, 506, 148, 149 IPC at Police Station Nahianwala District Bathinda.

Counsel for the petitioner contends that even as per case of the prosecution, the injury attributed to the petitioner is simple in nature. Still further, it is contended that the injured; as well as; the eye witness have already been examined before the trial Court. Therefore, there is no possibility of the petitioner influencing the evidence of the prosecution. The petitioner is in custody since 11.06.2018. There is no other case against the petitioner. Therefore, no purpose would be served by keeping the petitioner behind the bars.

On the other hand, counsel for the State, submits that the petitioner is involved in a heinous crime. However, it is not disputed that the injury attributed to the petitioner is simple in nature. It is also not disputed that there is no other case against the petitioner and that the main witnesses have already been examined.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

December 04, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No