

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

CRM-M-42909-2018 (O&M)

Date of Decision:- 3.10.2018

Sandeep Singh @ Sunny Tali

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harkeerat Singh, Advocate, for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

Petitioner Sandeep Singh @ Sunny Tali has filed this petition seeking grant of regular bail in respect of a case registered against him vide FIR No.8 dated 14.1.2018 under Sections 452, 323, 341, 506, 148, 149 IPC (Section 307 IPC added later on), Police Station Haibowal, Ludhiana.

The FIR was registered at the instance of Rinku wherein it has been alleged that on the day of occurrence i.e. on 13.1.2018 the complainant and his son Ankush present in the house and at about 3.30. P.M. his son Ankush went out for a walk. Later, when the complainant went out to look for him, he saw that his son was being beaten by Sunny @ Talli, Seepa and two other unknown persons who were all carrying sticks. When the complainant and other co-villagers raised alarm, the accused ran away while issuing threats.

Learned counsel for the petitioner has submitted that he has been falsely implicated in the present case and that in any case none of the accused was armed with any deadly weapon and are allegedly to be carrying sticks only. Learned counsel has further submitted that even the MLR reveals that the injured had sustained only two injuries and in these circumstances it cannot be said that the alleged injuries had been caused with an intention to kill the injured.

On the other hand learned State counsel has submitted that injury No.1 has been declared to be dangerous to life and that in these circumstances no case is made out for grant of bail.

Having considered the rival submissions addressed before this Court and bearing in mind the nature of weapon which the petitioner and his co-accused were carrying and also the fact that it is not a case where a large number of injuries have been caused to the injured and also that the challan has already been presented and the petitioner has been behind bars since the last about 9 months, in my opinion no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted. Petitioner Sandeep Singh @ Sunny Tali is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

October 3, 2018

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No