

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

CRM-M-43180-2017 (O&M)

Date of decision:07.02.2018

Harpreet Singh @ Happy

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

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

Ms. Jaspreet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.68, dated 11.04.2017, under Sections 307/452/323/324/506/427/148/149 IPC, registered at Police Station Sadar Ludhiana.

Counsel for the parties have been heard at length.

FIR came to be registered on the statement of Lovepreet Singh. Occurrence is stated to be of 11.04.2017. Insofar as the present petitioner is concerned, he is alleged to have given a sword blow which hit on the right hand of the complainant Lovepreet Singh. As per complainant's version, the present petitioner also inflicted a sword blow on the head of Kulwinder Singh/injured.

Learned counsel representing the petitioner has adverted to the statement of Kulwinder Singh recorded under Section 161 Cr.P.C. and placed on record at Annexure P-3 and as per which the sword blow suffered by him on the head is attributed not to the present petitioner but to co-accused Sunny. Kulwinder Singh has attributed to the present petitioner

a sword blow on his left hand.

Petitioner was arrested on 01.05.2017.

Investigation in the case is complete and the challan already stands presented.

Trial is at the initial stage and the matter is yet to be committed to the Court of Sessions.

Learned State counsel upon instructions from HC Balwinder Singh has conceded that the injuries suffered by Lovepreet Singh/ complainant as also Kulwinder Singh/injured and attributed to the present petitioner have been opined to be simple in nature.

In the totality of circumstances and without making any observations on merit, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

Disposed of.

07.02.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |