

**CRM-M-44520-2017 and
CRM-M-44546-2017**

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

Date of Decision: 05.02.2018

1. CRM-M-44520-2017 (O & M)

Satnam Singh

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-44546-2017 (O & M)

Gurwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate,
for the petitioners in both the petitions.

Mr. K.S.Sidhu, DAG, Punjab.

Mr. L.S. Mann, Advocate,
for the complainant.

INDERJIT SINGH, J.

**CRM-1569-2018 in CRM-M-44520-2017 and
CRM-1599-2018 in CRM-44546-2017**

Both these applications have been filed under Section 482
Cr.P.C. for addition of Section 459 of IPC in the head-notes and prayer
clauses of the main petitions.

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Learned counsel for the petitioners submitted that Section 459 of IPC has been added subsequently and, therefore, the same could not be mentioned in the head-note and prayer clauses of the petitions. He prayed that the same be read in the head-notes and prayer clauses of the petitions.

Heard.

In view of the grounds mentioned in the application, both the applications are allowed. Registry is directed to add Section 459 of IPC in the head-notes and prayer clauses of the petitions and necessary additions in this regard be made.

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This order shall dispose of CRM-M-44520-2017, filed by petitioner-Satnam Singh and CRM-M-44546-2017, filed by petitioner-Gurwinder Singh under Section 439 Cr.P.C. for grant of regular bail in case FIR No.124 dated 02.09.2017, registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, under Sections 323, 452, 506, 148 and 149 of IPC and Sections 325, 326 and 459 of IPC added subsequently.

Notice of motion was issued. Learned State counsel appeared on behalf of respondent-State and complainant also appeared through his counsel. They contested these petitions.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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From the record, I find that as per the prosecution version, injury with *kirpan* has been attributed to petitioner-Satnam Singh which is stated to be on the eye-lid of Kashmir Singh and has been declared grievous. As regards petitioner-Gurwinder Singh, he is stated to be armed with *dang* and caused injuries on arm and head of Baljit Kaur which are lacerated wounds and stated to be grievous in nature.

Both the petitioners have been in custody since 22.09.2017. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, both these criminal miscellaneous petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

05.02.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No