

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

CRM-M-47425-2018 (O&M)

Date of decision : 7.12.2018

Balkaran Singh Karni

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 15 dated 26.1.2017 (Annexure P-1), under Sections 302/120-B of the Indian Penal Code, registered at Police Station Nehainwala Bathinda, District Bathinda.

As per the version in the FIR, Lakhvir Singh @ Luckhy son of the complainant-Baljit Singh was assaulted by Balwinder Singh @ Bittu; Gurtej Singh @ Mintu and Lachhman Singh. Gurtej Singh @ Mintu gave an axe blow on the head of Lakhvir Singh @ Luckhy, Balwinder Singh @ Bittu gave four kirch blow on the head and face of Lakhvir Singh @ Luckhy. Complainant-Baljit Singh raised alarm and accused ran away from the spot. Complainant-Baljit Singh made a supplementary statement wherein he named some other persons including the present petitioners who are stated to be present at the spot. No overact was attributed to the other

co-accused-Balwinder Singh who was named lateron. In this case, petitioner was arrested on 30.1.2017.

Learned State counsel, on instructions from ASI Sarwan Singh, submits that in this case, complainant and eye witness have been examined.

Considering the role attributed to the petitioner and no injury is attributed to him, I am of the view that there is no ground for further detention of the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs. 1,00,000/- with one surety of the like amount to the satisfaction of the trial Court subject to following conditions: -

- (1) Petitioner shall surrender his passport before the trial Court, if any, and shall not leave the country without prior intimation to the Court;
- (2) Petitioner shall not directly or indirectly give any inducement or threat or promise to any witness and
- (3) Petitioner shall attend the Court on each and every date of hearing before the trial Court and in case of his absence, trial Court shall be competent to cancel his bail.

Petition stands allowed accordingly.

(KULDIP SINGH)
JUDGE

7.12.2018

preeti

Whether speaking / reasoned
Whether Reportable:

Yes/No
Yes/No