

S.No.212

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

CRM-M-47980 of 2018 (O&M)

Date of Decision:10.12.2018

Pardeep SinghPetitioner

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Gaurav Chopra, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

Ms. Sushma Chopra, 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.205 dated 30.06.2018 registered under Sections 307/323/506/148/149 IPC (Sections 324 and 325 IPC added later on) at Police Station Dakhan, District Ludhiana.

Learned counsel for the petitioner contends that even as per the case of the prosecution, the injury attributed to the petitioner is an iron rod blow to the injured/ complainant. Even this injury has been declared to be simple in nature. The petitioner is in custody since 04.07.2018 and there is no other case against him. The investigation of the case is complete and the challan has already been presented. The petitioner is not required for any investigation purposes.

On the other hand, learned State Counsel submits that the injury attributed to the petitioner is serious in nature. However, the learned State

Counsel has not disputed the fact that the petitioner is the first offender and that the challan has already been presented.

Learned counsel for the complainant submits that the petitioner was part of unlawful assembly. The injury attributed to him is grievous in nature.

Be that as it may, the fact remains that the petitioner is in custody since 04.07.2018 and the investigation is complete.

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 10, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No