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Date of decision:28.11.2018

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...Petitioner

Versus

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Anurag Chopra, Advocate
for the petitioner.

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

Ms. Sushma Chopra, Advocate
for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed for seeking bail pending trial in
FIR No.205 dated 30.06.2018 for the offences punishable under Sections
307/323/506/148/149 of the IPC (Sections 324 and 325 added later on),
registered at Police Station Dakhan, District Ludhiana.

Learned counsel for the petitioner contends that even as per case of the prosecution, the injury attributed to the petitioner is an iron rod blow on the leg of 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 submissions of counsel for the petitioner, but without commenting on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

28.11.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No