

215

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

CRM-M No.6904 of 2018
Date of Decision: 23.02.2018

Jagir Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.17 dated 02.05.2016, registered under Sections 326, 323, 324 IPC at Police Station Qila Lal Singh, District Gurdaspur.

Initial FIR was recorded for the offences under Section 323, 324 IPC. Subsequently, it was enhanced to Section 326 IPC on the basis of DDR No.14 dated 09.12.2017. Initial FIR was delayed by 06 days as the occurrence took place on 26.04.2016 and the FIR came to be registered only on 02.05.2016. For initial offence, the petitioner was granted bail and the culpability was enhanced in terms of addition of Section

326 IPC that too after a period of about 1½ years.

Out of total five injuries, injury No.1 was found to be attracting offence under Section 326 IPC and the same was on non-vital part i.e. on wrist of the complainant. Injuries No.2 to 5 were declared to be simple in nature.

The offence is triable by Magistrate.

Petitioner is in judicial custody since 09.01.2018.

The statement of facts has not been disputed by learned State counsel on instructions from ASI Dharmender Singh.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

23.02.2018
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No