

S.No.216

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

CRM-M-57184 of 2018 (O&M)

Date of Decision:21.12.2018

Satpreet Singh @ Satti

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Ms. Reeta Kohli, Senior Advocate with
Mr. Rahul K. Sharma, Advocate for
the petitioner.
Mr. Hittan Nehra, Addl. AG, Punjab.

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.31 dated 19.06.2018 registered under Sections 307, 353, 186, 332, 148, 149 IPC (Sections 379 and 333 IPC and Section 4(1) read with 21(1) of Mines and Minerals (Regulation and Development) Act, 1957 added later on) at Police Station Mullanpur Garibdass, District SAS Nagar (Mohali), Punjab.

It is contended by the counsel for the petitioner that the allegation against the petitioner is that while indulging in illegal mining, when signalled to stop, he caused injury to one Karnail Singh, who is Baildar in the Forest Department. It is contended by the counsel that the said injury is alleged to have been caused with danda only, which is not a defined weapon as such. Still further, it is contended that the said injured was discharged from the hospital on fourth day itself. The petitioner is in custody since 19.06.2018. Challan has already been filed in this case. There is no other case against the petitioner. The petitioner is not required for any investigation purposes.

On the other hand, learned State Counsel has submitted that the injury caused to Karnail Singh has been opined to be grievous in nature by the doctor. Still further, it is contended that the petitioner was one of the persons who prevented the officials from performing their duties. However, it is not disputed that the petitioner is in custody since 19.06.2018 and that the challan has already been filed. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting any further 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 21, 2018**renu****(RAJBIR SEHRAWAT)****JUDGE**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No