

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

221

CRM-M-382 of 2019

Date of decision: 18.01.2019

BALVIR SINGH ALIAS MAHNI

..PETITIONER

VS.

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. A.K. Khunger, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J.(ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner-Balvir Singh @ Mahni, in case FIR No.98 dated 21.10.2017, registered under Sections 324, 323, 341, 427, 148 and 149 IPC at Police Station Sadar Abohar, District Fazilka (Offence under Sections 325 and 326 IPC added later on vide DDR No. 23, dated 02.11.2017).

According to the prosecution, on 17.10.2017, petitioner and his five accomplice caused grievous and simple injuries to the complainant and one Gurbavittar Singh.

Learned counsel *inter alia* contends that only lalkara is attributed to the petitioner. As per complainant's version, the petitioner did not cause any injury to him. Final report under Section 173(2) Cr.P.C., has not yet been filed by the police, though the FIR was registered on the day of occurrence i.e. despite

elapsing of one year and three months. Filing of final report, framing of charge and conclusion of trial may take long time. No useful purpose to detain the petitioner in jail.

On the other hand, learned State counsel vehemently opposed the bail application.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed, Consequently, petitioner-Balvir Singh @ Mahni, is ordered to be released on bail pending trial, on his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

January 18, 2019
Poonam Sharma

(RAMENDRA JAIN)
JUDGE

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