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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1562-2019 (O&M)
Date of decision : 21.01.2019

Hardeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr.P.K.S.Phoolka, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 57 dated 01.09.2018, under Sections 307/452/34 of the Indian Penal Code, registered at Police Station Jaurkian, District Mansa.

Heard.

Police file perused.

The allegations in the FIR, are that Hardeep Singh carrying kasia in his hand and his father Sikander Singh carrying Kuhari in his hand went to the house of Manjit Kaur and knocked the door. They wanted to talk to the husband of the complainant, namely, Iqbal Singh, but her son namely Gurpreet Singh, who opened the door stated that his father cannot talk to them now. On this, exhortation raised by Hardeep Singh, Sikander Singh gave *kuhari* blow on the head of Gurpreet Singh-son of the complainant.

The said injury was proved to be grievous in nature.

Learned State counsel contends that petitioner in this case was arrested on 3.9.2018 and challan in this case was presented on 30.11.2018. Charges have already been framed on 19.1.2018.

The only allegation against the present petitioner are accompanying the main accused namely Sikander Singh and and raising exhortation.

Without commenting upon the merits of the case, further detention of the petitioner is unnecessary. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the trial Court subject to following conditions: -

- (1) Petitioner shall surrender his passport before the trial Court, if any, and shall not leave the country without prior intimation to the Court;
- (2) Petitioner shall not directly or indirectly give any inducement or threat or promise to any witness and
- (3) Petitioner shall attend the Court on each and every date of hearing before the trial Court and in case of his absence, trial Court shall be competent to cancel his bail.

Petition stands allowed accordingly.

(KULDIP SINGH)
JUDGE

21.01.2019
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Whether speaking / reasoned
Whether Reportable:

Yes
No