

Sr. No.206

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

CRM-M-8025-2019

Date of decision:29.03.2019

Satwinder Singh @ Happy

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. P.S.Walia, AAG, Punjab.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.31, dated 19.06.2018 for the offences punishable under Sections 307/353/186/332/148/149 IPC(Sections 379/333 IPC) and Section 4(1) read with Section 21(1) of Mines and Minerals Regulation of Development Act, 1957 added lateron, registered at Police Station Mullanpur Garibdass, District DAS Nagar Mohali.

It is contended by the counsel for the petitioner that the allegation against the petitioner is that while carrying sand from 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 iron rod 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.

Complainant and the injured witness have already been examined. There is no other case against the petitioner. The petitioner is not required for any investigation purposes.

On the other hand, learned State counsel, being instructed by Inspector Sanjeev Kumar 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 upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

29th March, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*