

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

**CRM-M No. 22252 of 2019
Date of Decision:-23.05.2019**

Bhupinder Singh alias Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Shrey Goel, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Bhupinder Singh alias Rinku has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.0251 dated 17.12.2018, under Sections 323, 307, 365, 506, 148 and 149 IPC, registered at Police Station Daba, Ludhiana. The petitioner is in custody since his arrest on 17.12.2018.

As per the version of the prosecution in the FIR, which was recorded on the statement of Dalip Kumar, who was forcibly taken in a vehicle by accused, namely, Bhupinder Singh @ Rinku (petitioner), Baljinder Kumar @ Kali and Arjun Kumar to the house of Sunil Kumar, where Parminder Kaur @ Naano was also present. According to the

allegations, the victim was given beatings, however, as per allegations in the FIR, petitioner Bhupinder Singh @ Rinku is attributed the injury on the complainant with a *Daah* on his right ankle.

According to learned counsel for the petitioner, there is previous enmity between the parties as per motive mentioned in the FIR itself i.e. pendency of other criminal case and, therefore, possibility of false implication cannot be ruled out. It is further pointed out that the injury alleged to have been caused by the petitioner do not attract the provisions of Section 307 IPC. According to learned counsel, the case of the petitioner is at par with co-accused Parminder Kaur @ Naano, to whom concession of bail has been extended by this Court vide order dated 11.4.2019 in CRM-M-15988 of 2019 (Annexure P-3). Learned counsel further submits that there is no other case pending against the petitioner.

On the other hand, learned State counsel, who is assisted by ASI Balwinder Singh opposed the bail application on the ground of seriousness of offence. It is not disputed that only one injury has been attributed to the petitioner i.e. on right ankle of the complainant with a *Daah*. Also, the alleged injury attributed to petitioner does not attract offence under Section 307 IPC.

Considering the above background of the case and the fact that trial of the case is likely to consume some more time, this Court is of the opinion that further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to

his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Ludhiana.

The petition is allowed.

May 23, 2019

Vijay Asija

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No