

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

**CRM-M No. 22100 of 2019
Date of Decision:-25.07.2019**

Daljit Singh @ Lucky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Daljit Singh @ Lucky has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.89 dated 10.7.2015, under Sections 323, 324 and 341 read with Section 34 IPC (Sections 325 and 326 IPC added subsequently), registered at Police Station Mehtiana, District Hoshiarpur.

The FIR was registered on the statement of Raghvir Singh to the effect that on 23.6.2015 at about 7.15 pm he was going to his house on Activa scooter in connection with some personal work. On Katcha rasta situated at a distance of 100 yards from the Dhaba of Baba leading to the

fields, Paramjit Singh armed with Kirpan alongwith two unidentified boys armed with Datars was present on Bullet Motorcycle. They stopped the complainant and accused Paramjit Singh gave kirpan blow on his head and thereafter unidentified boys gave second blow on his left elbow. After falling down, all the three persons gave beatings with reverse side of their weapons on the left lung, below the naval and thighs.

Learned counsel for the petitioner submits that the petitioner was not specifically named in the FIR. It was during investigation, the name of the petitioner was cropped up. He is in custody since 10.1.2018 and the injury inviting offence punishable under Section 326 IPC is not attributed to the petitioner. It is further contended that the trial will take a sufficient time in its conclusion and no useful purpose would be served by putting the petitioners behind the bar.

On the other hand, learned State counsel, who is assisted by ASI Gurminder Singh has opposed the bail application. However, learned State counsel on instructions further submits that the injury inviting offence punishable under Section 326 IPC is not attributed to the petitioner and the accused who has caused this injury, has already been released on bail by the trial Court.

Considering the above and the fact that the offences are triable by Magistrate as well as the fact that the trial is likely to consume some time, 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 the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

July 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No