

Sr. No.205/3

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

**CRM-M-24087-2019(O&M)
Date of decision:29.05.2019**

Harwinder Singh and another

..... Petitioners

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Ms. Dhivya Jerath, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.119, dated 02.09.2018 for the offences punishable under Sections 323, 324, 506, 148, 149 of IPC (Section 326 IPC added later on), registered at Police Station Amargarh, District Sangrur.

Learned counsel for the petitioners contends that the names of the petitioners have been wrongly involved in this case. Even, as per the case of the prosecution, the injuries attributed to the petitioners are only simple in nature. The injury inviting Section 326 IPC is not attributable to the petitioners. It is further contended that the petitioners are in custody since 08.04.2019. There is no other case against the petitioners. It is further contended by learned counsel for the petitioners that the co-accused of the petitioners has already been granted bail by the Trial Court. Petitioners are not required for any investigation purposes.

On the other hand, learned State counsel being instructed by ASI Ram Singh, submits that participation of the petitioners in the crime is

substantiated by the fact that the injuries attributed to the petitioners are corroborated by the medical evidence. However, it is not disputed that the injuries attributed to the petitioners are only simple in nature. It is also not disputed that there is no other case against the petitioners. Learned State counsel has filed the custody certificate of the petitioners today in Court, which is taken on record.

In view of the above, but without commenting upon the merits of the case, the petition is allowed. Petitioner are granted the concession of bail pending trial. They be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

29th May, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*