

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25318-2019 (O&M)
Date of decision: 30.10.2019

Narinder Singh @ Nandu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Puneet Sharma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.02 dated 06.01.2019 under Sections 307, 323, 148, 149 IPC, registered at Police Station Chajjli, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner is attributed baseball blow on the head of Gulab Singh. It is further submitted that as per report of the Radiologist, no fracture was seen qua this injury and as per report of the Medical Officer, injury No.1, which is attributed to co-accused Fateh Singh i.e. fracture of left frontal sinus, was declared grievous in nature and injuries No.2 to 4 were declared simple in nature and it was specifically opined that no injury was dangerous to life, therefore, it will be a debatable issue whether charge under Section 307 IPC is made out, as per opinion of the doctor. It is also submitted that the petitioner is

first offender and is in custody since February, 2019.

Learned counsel for the petitioner further submits that one co-accused of the petitioner namely Baljinder Singh has already been granted the concession of anticipatory bail vide order dated 05.04.2019 passed by this Court in CRM-M-7365-2019.

Learned State counsel could not dispute the photocopy of the MLR and opinion of the doctor, which is placed on record as Mark 'A'.

Without commenting anything on merits of the case, considering the fact that the investigation is complete; the petitioner is in custody for the last about 08 months and is not involved in any other case and also in view of medical opinion, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

30.10.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No