

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

**CRM-M No.33065 of 2019 (O&M)
Date of Decision: 05.09.2019**

Balraj Singh @ Baja

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amaninder Singh Sekhon, Advocate for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab
for the respondent/State.

Mr. Ashish Gupta, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case bearing FIR No.146 dated 12.10.2018, under Sections 307, 341, 34 of the Indian Penal Code, 1860 and Sections 25/27/54/59 of the Arms Act, 1959, registered at Police Station Sadar Faridkot, District Faridkot.

Contends that petitioner is in custody since 17.10.2018 and there is version and cross-version as complainant side has also been summoned in a private complaint by learned Additional Chief Judicial Magistrate, Faridkot. Also contends that father of the petitioner suffered a fire arm injury and his thumb of the left hand was completely chopped off, but despite that, no action was taken by the police. Further contends that there is no other criminal case pending against the petitioner.

Learned State Counsel did not dispute the factum of injury, but he has submitted that this is a self inflicted by the injured.

Be that as it may, since this is a version and cross-version and both sides have suffered the injuries. Petitioner is in custody since 17.10.2018 and there is no other criminal case pending against him.

In view of above, there is no justification to keep the petitioner behind the bars. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any recurrence on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

September 05, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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