

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

**Crl. Misc. No.M-33949 of 2019 (O&M)
Date of Decision: August 27, 2019**

Bhola @ Amandeep Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ravi Kumar Mattoo, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 285 dated 01.11.2018 registered for the offences punishable under Sections 307, 323, 332, 353, 186, 506 read with Section 34 of Indian Penal Code (for short IPC), at Police Station Kotwali, Patiala, District Patiala.

Heard.

Notice of motion.

On asking of the court, Mr. Avtar Singh Sandhu, Addl. A.G., Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per allegations in the FIR, the occurrence took place on

statement that petitioner Bhola @ Amandeep Singh gave a rod blow on the backside of his head, while his co-accused gave a danda blow to him. When the public intervened, both the accused ran towards their house and threw brick bats which hit Rahul Singla and one constable Darshan Singh.

Learned counsel for the petitioner submits that neither of injury on the person of complainant or injured persons was declared grievous or dangerous to life. All the injuries were simple in nature. The matter has also been compromised with Gagandeep and Rahul Singla.

Learned State counsel submits that injury with iron rod in backside of head of complainant is on vital part of the body, as such, offence under Section 307 IPC was incorporated in the FIR. However, that injury was simple in nature.

The petitioner was arrested on 01.11.2018. After completion of investigation, challan has been presented in the Court.

Keeping in view the above facts and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Bhola @ Amandeep Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

c. He shall not leave the country without the prior permission of the Court.

August 27, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*