

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

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**CRM-M No. 39212 of 2019
Date of decision : 28.11.2019**

Kulveer Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. G.S. Sandhu, Advocate, for the petitioner

Mr. Harbir Sandhu, AAG, Punjab

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 85 dated 5.4.2019, registered under Sections 307/324/148/149 IPC at Police Station City Sri Muktsar Sahib.

It is contended by learned counsel for the petitioner that the petitioner has wrongly been involved in this case. The petitioner is not even named in the FIR. Otherwise also, even as per the case of the prosecution the only attribution to the petitioner is giving danda blow on the thumb of right hand of the complainant. That injury has not invited Section 307 or Section 326 of IPC. The petitioner is in custody since 7.7.2019. Challan has already been filed. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State, being instructed by ASI Gurtej Singh, submits that the petitioner is habitual offender. He is involved in two more cases. However, it is not disputed that in the present case

the injury attributed to the petitioner is only a danda blow on the thumb of right hand of the complainant. It is also not disputed that the petitioner is in custody since 7.7.2019 and that challan has already been filed.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

28.11.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No