IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No. 41361 of 2019
Date of decision : 5.12.2019

Mangal Singh @ Sunny **……Petitioner**

Vs.

State of Punjab **……Respondent**

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. L.S. Mann, Advocate, for the petitioner
Ms. Amarjit Kaur Khurana, DAG, 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. 78 dated 18.6.2019, registered under Sections 324, 323, 341, 148 and 149 IPC (Sections 325 and 326 IPC added later on) at Police Station Nakodar Sadar, District Jalandhar Rural.

It is contended by learned counsel for the petitioner that the case against the petitioner is concocted. Even as per the allegations of the prosecution, the injury attributed to the petitioner is on the knee of the complainant. Still further, it is submitted that the petitioner is not attributed the injury inviting Section 326 IPC, which was added later on. The petitioner is in custody since 6.7.2019. Challan has already been filed. There is no other case against the petitioner. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State submits that the petitioner is attributed several specific grievous injuries including fractures. However, it is not disputed that the petitioner is in custody since 6.7.2019 and

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that challan has already been filed in this case and further; that there is no other case against the petitioner.

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

5.12.2019
Ashwani

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

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