

Yadwinder Singh @ Yadi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Baljinder Singh Sra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for the grant of regular bail in case FIR No.144 dated 1.8.2019 under Sections 307 IPC and 27 of the Arms Act, registered at Police Station Sangat, Bathinda.

Counsel for the petitioner submits that as per the allegations in the FIR registered at the instance of Amandeep Singh, the petitioner, under the influence of liquor fired two shots from his .12 bore gun aiming the complainant. However, the complainant escaped and his father Major Singh was injured on his head, abdomen, chest, right arm and left leg. Counsel for the petitioner further submits that as per the MLR of the injured though 11 injuries were noticed, however, the doctor, on 23.8.2019 has given an opinion that injuries No.1 to 11 are simple in nature and, therefore, it will be a debatable issue as to whether charge under Section 307 IPC is made out or not.

Counsel for the petitioner has further submitted that the challan stands presented and the petitioner is no more required for further investigation and he is in custody since 2.8.2019.

Learned State counsel has filed the custody certificate and argued that the report of the Blastic Expert is pending regarding the nature of weapon used for causing the said injury.

After hearing counsel for the parties and on going through the opinion of the doctor declaring the injuries to be simple in nature; the petitioner is in custody since 2.8.2019 and is no more required for further investigation, the present petition is accepted and the petitioner is directed to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

October 31, 2019
satish

(ARVIND SINGH SANGWAN)
JUDGE