

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46594-2019

Date of decision: 06.11.2019

Dharampal Singh @ Dharma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.173 dated 01.08.2019 under Sections 307, 459, 323, 336, 506, 148, 149 IPC, Section 25 of Arms Act and Section 3 of SC&ST Act, registered at Police Station Nathana, District Bathinda.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Manjit Kaur wife of Gora Singh, she along with her husband, son and daughter were sleeping in the courtyard of their house, when at about 10.30 p.m., someone knocked the door, by saying that they are police persons. When she opened the door, many persons entered the house and she alerted her husband Gora Singh. It is further stated in the FIR that the petitioner was armed with an iron rod and by calling the complainant side in the name of their caste, caused injuries to them. It is further submitted

that the petitioner is attributed an injury on the right arm of Gora Singh and the injury invoking Section 307 IPC is attributed to other accused persons. Learned counsel further submits that the petitioner is first offender; he is in custody for the last about 03 months; investigation is complete; challan stands presented and it will take some time in conclusion of the trial.

Learned State counsel has filed the custody certificate dated 06.11.2019 in the Court and on instructions from ASI Baldev Singh, has submitted that the injury attributed to the petitioner is on the hand of Gora Singh, as per allegations in the FIR. As per the custody certificate, the petitioner is in custody for the last 02 months and 27 days.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.11.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No