

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

**CRM-M-48245-2019
Date of decision: 19.11.2019**

Davinder Singh @ Saba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jaiteshwar Singh, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 100 dated 05.06.2019, registered under Sections 307, 323, 324, 452, 506, 148 and 149 of the IPC at Police Station Majitha, District Amritsar (Rural), Punjab.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Amrik Singh, it is stated that complainant, along with his family members, was present in his house and there was a quarrel between some bus and auto rickshaw drivers outside his house. Later on, those persons ran away from there and after some time, one person, namely Nishan Singh, along with others entered into the house of the complainant and started causing injuries to him. On this, Kirpal Singh, nephew of the complainant, came to his rescue and petitioner gave him an axe blow which hit on his right arm.

Learned counsel for the petitioner further submits that the

injury attributed to petitioner is on a non-vital part of the body.

It is further submitted that petitioner is not involved in any other case; he is in judicial custody since 15.06.2019 and some of the co-accused have already been granted concession of anticipatory bail by this Court.

Learned State counsel filed custody certificate which is taken on record. He has not disputed the factual position as submitted by learned counsel for the petitioner. As per custody certificate, the petitioner is in judicial custody for the last five months and he is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last five months; he is not involved in any other case; some of the co-accused have already been granted concession of anticipatory bail and also in view of the fact that conclusion of trial is likely to take some time; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

19.11.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No