

Sr. No.219

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

CRM-M-197-2019

Date of decision:15.01.2019

Amardeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mrs. Baljit Mann, Advocate
for the petitioner.

Mr. K.S.Aulakh, 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.31, dated 19.06.2018 registered under Sections 307,353,186,332,148,149 IPC (Sections 379,333 IPC and Section 4(1) r/w Section 21(1) of Mining Act added subsequently) at Police Station Mullanpur Garibdass, District SAS Nagar, Mohali.

It is contended by learned counsel for the petitioner that even as per the case of the prosecution, the allegation against the petitioner is that he gave a danda blow to the Complainant who was wearing helmet. However, it is contended that there is no corresponding injury found on the Complainant. The case against the petitioner is concocted. Challan has already been filed in this case. The petitioner is in custody since 22.06.2018. There is no other case against the petitioner. The petitioner is not required for any investigation purposes.

On the other hand, learned State counsel being instructed by ASI Satwinder Singh, submits that the petitioner is involved in the incident and the same was witnessed by the injured himself. Hence the complicity of the petitioner in the crime is duly proved. However, it is not disputed that there is no corresponding injury caused to the injured as alleged against the petitioner. It is also not disputed that there is no other case against the petitioner and that the petitioner is in custody since 22.06.2018.

In view of above, but without commenting upon the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the Trial Court/Duty Magistrate.

15th January, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*