

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

CRM-M-814-2020

Date of decision:17.1.2020

AMANJOT SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek grant of regular bail in case registered vide FIR No.84 dated 5.11.2019 under Sections 307, 324, 323, 326, 148 & 149 of Indian Penal Code, 1860 registered at Police Station Kotli Surat Mallian, Police Batala, District Gurdaspur.
2. As per the FIR, the petitioners along with Joginder Singh, Kulwinder Kaur and Mandeep Kaur had caused injuries to the complainant with '*Dang*' and '*Datar*'.
3. As per MLR (Annexure P-1) following injuries were found to have been sustained by the injured:-

1. Complains pain over right lateral aspect of upper chest region 3 cm lateral to the right nipple. No redness present. Advised X-ray.
2. Reddish abrasion 2 x 2 cms over the right lower abdomen region 2 cm from anterior superior iliac spine 12 cms from the umbilicus.
3. Complaint of pain over right upper leg region lateral aspect in the middle, diffuse swelling present. Advised X-ray.
4. Incised wound 2 cm x 0.5 cm over the left lower arm posterior medial aspect, 5 cm above the wrist point, muscle deep. Dark red clotted blood present. Advised X-ray.
5. Complains of pain over lower back region in the middle. No redness or swelling present. Advised X-ray.

4. Out of the aforesaid five injuries, it is injury No.4 only which was found to be a grievous injury, while other have been classified as simple injuries. Learned counsel for the petitioners has submitted that the present case would not attract offence punishable under Section 307 IPC, given the fact that the only injury caused by sharp-edged weapon was caused on the wrist, while other four injuries are in the nature of complains of pain or abrasions. It has further submitted that in any case, matter has been resolved amongst the parties and that the complainant has no objection in case petitioners be granted concession of regular bail.
5. Mr. Gurminder Singh, Advocate has put in appearance on behalf of the complainant and has filed power of attorney, which is taken on record.

He has endorsed the fact that the matter has been amicably resolved amongst the parties.

6. Learned State counsel has however feigned ignorance about the aforesaid compromise and has submitted that in view of the injuries caused by the petitioners, no case for grant of bail is made out.
7. Having regard to the facts and circumstances of the case and the fact that the complainant has no objection in case the petitioners are granted bail, further detention of the petitioners will not serve any fruitful purpose as the conclusion of trial, is likely to take some time.
8. The petition, as such, is accepted and it is ordered that petitioners be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

17.1.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**