

S.No.212

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

CRM-M-2577 of 2020 (O&M)

Date of Decision:21.05.2020

Inderjit SinghPetitioner

Vs.

State of PunjabRespondent

IN VIRTUAL COURT

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Aakash Singla, Advocate for the petitioner.

Ms. Monika Jalota, 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.94 dated 23.10.2019 registered under Sections 323, 307, 341, 506, 34 IPC at Police Station Kheri Gandain, District Patiala.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the injury attributed to the petitioner is a stick blow on the chest of the complainant. This is not the injury inviting Section 307 IPC. The head and eye injury; inviting Section 307 IPC; are attributed to one Swaran Singh. However, Swaran Singh has already been released on bail on 28.02.2020. The petitioner is in custody since 26.12.2019 and the evidence of the case is yet to start before the Court. The petitioner is not required for any investigation purpose.

On the other hand, learned counsel for the State, on

instructions from ASI Gurmeet Singh, submits that the petitioner is direct participant in the crime. A specific injury is attributed to the petitioner. However, it is not disputed that the injury attributed to the petitioner does not invite Section 307 IPC. It is also not disputed that Swaran Singh, to whom the injury inviting Section 307 IPC is attributed, has already been released on bail.

In view of the above, without commenting any further on merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds/ surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate.

May 21, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No