

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

**CRM-M No.4503 of 2020
Date of decision: 06.02.2020**

Karamjit Singh @ Rinku

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Puneet Bansal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.128 dated 26.05.2018 registered under Sections 326, 324, 323, 506, 34 of the Indian Penal Code, 1860 (in short 'IPC') at Police Station Talwandi Sabo, District Bathinda.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Paramjit Singh on 23.05.2018 in the evening, Gursewak Singh had to proceed for Mumbai by taking the complainant from the truck union and when the complainant – Paramjit Singh opened the door, one person hit an iron rod on the back side of his left shoulder and found that Karamjit Singh @ Rinku i.e. the petitioner had caused the said injury. Another person near to him was Gulab Singh, who was holding a gandasi and he gave a blow on the middle portion of the head of Paramjit Singh. Gulab Singh again caused an injury by using a gandasi as a lathi and when the complainant tried to stop the same, it hit on his little finger and then, both the accused caused him injuries on his elbow. On raising voice,

they fled away from the spot. It is further argued that the petitioner is in custody since 25.11.2019; challan stands presented and he is not involved in any other case. It is also submitted that injury invoking Section 326 IPC is attributed to co-accused Gulab Singh and Section 326 IPC was added later on after the petitioner was granted regular bail at initial stage.

Counsel for the State, has filed the Custody Certificate today in the Court and on instructions from ASI Jagir Singh, submits that out of 05 injuries sustained by the complainant, injury No.2 was declared grievous, which was attributed to the co-accused Gulab Singh.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he is in custody since 25.11.2019; challan stands presented and conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

06.02.2020
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No