

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6408 of 2020
Date of Decision: 27.02.2020

Manjit Singh Dau

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Ms. Jasleen Kaur Sidhu, A.A.G., Punjab.

Mr. Jaskamal Singh Grewal, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

This petition has been filed under the provisions of Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 86 dated 30.06.2019, registered at Police Station Kathu Nangal, District Amritsar Rural, for the alleged commission of offences punishable under Sections 307, 323, 324, 148 and 149 of the IPC.

The petition having been put up before this Bench again after the order dated 19.02.2020, learned counsel for the petitioner points to the fact that in the medical opinion given by the doctor after the X-ray report, it has been stated as follows:-

“So injury no. 1 is grievous in nature, but it seems to be fabricated.

X-ray left hand:- Lateral shows no any bury injury.

So injuries no. 1 and 2 both simple in nature.”

Learned counsel for the State and the complainant however submit that the petitioner having attacked the complainant with a sickle (*'datar'*) and having inflicted injuries upon him, he does not deserve the concession of bail.

Upon query, however, it is not denied that there is no other criminal case registered against the petitioner, though both learned counsel again state that the petitioner otherwise has been found to be involved in a gang of unsocial elements against whom FIRs have been registered.

However, seeing the fact that the petitioner has been in custody for the past almost six months, with no other criminal case actually registered against him, further keeping in view the opinion given by the doctor, but without making any comment on the actual merits of the case for or against the petitioner, this petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court.

It is again reiterated that the merits of the trial would go strictly by the evidence led before that court and not by the observations made hereinabove.

February 27, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.