

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

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CRM-M-7883-2020

Decided on : 20.08.2020

Jagjit Singh @ Ladda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.S.S.Maini, Advocate, for the petitioner.

Mr.B.S.Sewak, Addl.A.G., Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner, in a petition filed under Section 439 Cr.P.C., seek grant of regular bail in FIR No.15 dated 28.01.2019, registered under Sections 324, 323, 148, 149, 326 IPC at Police Station Sadar Kotkapura District Faridkot.

It is the contention of counsel for the petitioner that the petitioner was arrested on 02.11.2019 as per the custody certificate dated 19.08.2019. State Counsel had put in appearance on the last date and prayed for time to verify whether the co-accused Bittu who gave a blow of kirpan on the head of the complainant had been arrested or not and if not, what steps had been taken to arrest him.

Counsel for the State has submitted that the complainant, Balwnat Singh has allegedly suffered a statement on 03.06.2019 whereby he has only implicated the petitioner, Jagjit Singh and one Golu who have stated to have caused injury to him and his brother Kewal Singh. He stated that he was under the sedation of medicines and pain and injuries and had wrongly by mistake recorded the name of Bitu Singh, Toti Singh sons of Pamma Singh and Jassu Singh son of Kala Singh.

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State Counsel submits that as per the said statement, the co-accused Bitu has been exonerated.

The attribution in the FIR against the petitioner is of a kirpan blow which struck on the left shoulder of the complainant. As per the medico-legal report, there is no fracture seen and State Counsel submits that the injury is simple in nature.

Keeping in view the shifting stand of the complainant and the period of detention which is over 9 months and the injury suffered at the hands of the petitioner, this Court is of the opinion that the petitioner is entitled for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is directed to be released on regular bail, to the satisfaction of the Ilaqa/Duty Magistrate, Faridkot.

AUGUST 20, 2020
sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No