

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

CRM-M-13931-2020 (O &M)

Date of decision: 19.8.2020

Balwinder Singh @ Binder

.....Petitioner.

vs.

State of Punjab

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Satnam Singh Gill, Advocate, for the petitioner.

Mr. H.S. Sullar, Deputy Advocate General, Punjab.

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Sanjay Kumar, J. (ORAL)

The petitioner is one of the accused in FIR No. 81 dated 21.10.2019 on the file of Police Station Ghanaur, District Patiala, registered under Sections 323, 324, 326, 341 and 34 IPC (Section 307 added later on). By way of this petition, he seeks grant of regular bail.

The petitioner, along with the other accused, allegedly committed a murderous assault on the complainant. Twelve injuries were found upon the complainant, of which nine were caused by a sharp-edged weapon. The complainant also lost his right thumb, which was amputated in the course of this attack. Though the allegations levelled against the petitioner are serious in nature, it may be noted that the investigation has already been completed leading to the filing of the challan before the jurisdictional Court. Further, the trial also commenced on 24.1.2020.

This Court was informed that the examination-in-chief of the complainant was over and that his cross-examination was scheduled to take place on 10.8.2020. The case was accordingly adjourned to 19.8.2020. The learned Additional District and Sessions Judge, Patiala, submitted a report on 17.8.2020 stating that the cross-examination of the complainant was completed on 10.8.2020 and that the case is coming up on 19.8.2020 for recording further evidence of the prosecution.

Mr. H.S. Sullar, learned Deputy Advocate General, Punjab, would inform this Court that there are no other eye-witnesses to be examined. That being so, there is no possibility of any prejudice being caused to the prosecution's case or any evidence or witness being tampered, if the petitioner is enlarged on bail at this stage. He has been in custody since 28.10.2019.

The petition is accordingly allowed directing the release of the petitioner on regular bail in FIR No. 81 dated 21.10.2019 on the file of Police Station Ghanaur, District Patiala, upon his furnishing a personal bond for a sum of Rs. 1,00,000/- along with two sureties for a like sum each to the satisfaction of the Illaqa/Duty Magistrate concerned. Further, the petitioner shall not cause any threat, inducement or promise to any person connected with the case and shall maintain peace and good conduct.

Pending miscellaneous application, if any, shall also stand disposed of.

(SANJAY KUMAR)
JUDGE

19.8.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no