

In virtual Court

CRM-M-14630-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14630-2020 (O&M)
Date of decision: 24.08.2020

Sukhwinder Singh @ Soni

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Madaan, 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 in FIR No.217 dated 06.11.2018 under Sections 307, 326, 323, 324, 506, 148, 149, 201 IPC, registered at Police Station Sadar Nakodar.

On 07.07.2020, following order was passed by this Court: -

“Learned counsel for the petitioner contends that though the learned Sessions Judge, Jalandhar, vide impugned order dated 04.01.2019, while declining the bail, observed that the petitioner had given a gandasi blow on the head of injured-Kashmira Singh, yet the fact remains that as per the FIR, no injury has been attributed to the petitioner. The learned counsel further contends that injured-Kashmira Singh has also submitted an affidavit dated 31.08.2019 (Annexure P-3) to the effect that no injury has been attributed to the petitioner.

The aforesaid assertions made by the learned counsel for the petitioner have not been disputed by the learned counsel for

injured Kashmira Singh.

Learned State counsel admits that as per the FIR, no injury has been attributed to the petitioner. However, he has no instructions regarding the affidavit filed by the injured.

I have heard the learned counsel for the parties.

As per the FIR, no injury has been attributed to the petitioner.

Learned State counsel is directed to file the status report specifying the injuries attributed to the petitioner.

Adjourned to 24.08.2020.

In the meantime, the petitioner is ordered to be released on interim bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.”

Learned State counsel has filed the custody certificate dated 23.08.2020 in the Court today, however, status report has not been filed. As per the custody certificate, the petitioner remained in custody for about 09 months, when he was granted the concession of interim bail.

Learned State counsel, on instructions from ASI Gurdev Singh, has, however, submitted that the complainant has recorded the statement on 24.07.2020 that present case be cancelled.

In view of the above, this petition is allowed and the aforesaid order dated 07.07.2020, vide which interim bail was granted to the petitioner, is hereby made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

24.08.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No