

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 18249 of 2020
Date of Decision: 17.9.2020**

Gurnam Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. A.S.Manaise, Advocate
for the petitioner.

Mr. Mehardeep Singh Dullat, Addl. A.G, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 52 dated 27.5.2020 under Sections 323, 324, 379, 447, 511, 506, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Kahnuwan, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner has been attributed a *datar* blow on the right leg of the complainant and even though the said injury falls under Section 326 IPC but the same has not been inflicted on the vital part of the body. He further submits that it is a case of version and cross-version and both the parties have suffered injuries and co-accused Lakshmi Saini, who is the sister-in-law of the petitioner, has received four injuries, out of which injury No. 3 has been declared grievous in nature. Similarly, co-accused Baljit Kaur, wife of the petitioner, has also received five injuries, out of which, injury No. 4 has been declared grievous

in nature. Learned counsel also submits that co-accused Lakshmi Saini and

Baljit Kaur have been granted regular bail by the trial Court whereas co-accused Satnam Singh has been granted interim bail by this Court vide order dated 12.6.2020 (Annexure P-2) and the petitioner has been in custody since 26.5.2020.

Learned State counsel, on instructions from ASI Prabh Dayal Singh, submits that in the present case, charges have been framed on 08.9.2020. However, he has not disputed the fact that it is a case of version and cross-version and the co-accused have also received injuries and that the petitioner has been attributed a *datar* blow on the right leg of the complainant.

I have heard the learned counsel for the petitioner and the learned State counsel.

It is a case of version and cross-version in which both the sides have received injuries. The petitioner has been attributed a *datar* blow on the right leg of the complainant which is a non-vital part. Moreover, two co-accused have been granted regular bail by the trial Court. The petitioner has been in custody since 26.5.2020. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

September 17, 2020

Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No