

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26743-2020 (O&M)
Date of Decision:-14.9.2020

Navjot Singh @ Joyti @ Jot

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shilesh Gupta, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Onkar Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.0318, dated 30.10.2019 at Police Station Model Town, Hoshiarpur under Sections 307, 326, 341, 148 and 149 of Indian Penal Code, wherein offence under Section 326 IPC was deleted and offences under Sections 308 and 323 IPC were added later on.
2. The FIR was lodged at the instance of Manpreet Singh, wherein it has been alleged that he had been caused injuries by Harbhajan Singh @ Bikka, who had given a blow with '*khanda*' on the center of his head and also by Bikka's

son namely Avtar Singh, who caused an injury with '*datar*' on the left side of his head. Jyoti (the present petitioner) is stated to have caused an injury with base ball bat hitting the complainant on left side of his head. Even Gopi Ramgarhia is alleged to have given a blow with base ball bat hitting the complainant on his right elbow.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, even if the allegations as levelled in the FIR are taken to be correct, still the petitioner cannot be said to have committed any offence under Section 308 IPC. It has further been submitted that even as per the case of prosecution no '*grievous injury*' was found to have been sustained by the complainant. It has also been submitted that the petitioner, in any case, is not a previous offender and has been behind bars since the last more than 7 months.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and is alleged to have caused injury on the head of complainant, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. It is not disputed by the learned State counsel that no '*grievous injury*' was found to have been sustained by the complainant. However, it is injury No.1 i.e. injury on the middle of head, which was opined to have been dangerous to life. The petitioner is alleged to have given a blow with base ball bat on the left side of head of the complainant. In any case, the petitioner having been behind bars since the last more than 7 months and not having been attributed the injury, which has been declared as dangerous to life, in my opinion further detention of the petitioner will not serve any useful purpose.

The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.9.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No