

**207/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-31743-2019
Date of Decision: 16.01.2020**

Inderjit Singh

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.S.Thakur, Advocate for the petitioner.

Mr. Rajesh Bhardwaj, Sr. DAG Punjab assisted by
ASI Surender Singh.

Mr. U.K.Agnihotri, Advocate with
Ms. Anshul Agnihotri, Advocate
for the complainant.

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VIVEK PURI, J. (ORAL)

An FIR bearing No.36 dated 23.05.2019 under Sections 326, 323, 324, 452, 148, 149 IPC 1860 and Section 307 IPC 1860 added subsequently has been registered at Police Station Sekhwan, District Gurdaspur at the instance of Sukhraj Singh-complainant alleging that on 22.5.2019 his uncle Harjinder Singh was lying on a cot near the gate of their house and the complainant was sitting near him. At about 8.30 P.M. Balwinder Singh and Inderjit Singh armed with Dattars, Ranjit Kaur empty handed along with 4-5 unknown persons armed with sticks came in front of the house of Harjinder Singh. Ranjit Kaur extorted that a lesson be taught to Harjinder Singh for ploughing their land. Inderjit Singh and unknown person dragged Harjinder Singh from the cot to the street. Inderjit Singh inflicted Dattar blow near the left cheek and another Dattar blow on the

small finger of the left hand of Harjinder Singh. Complainant along with his father Bhupinder Singh tried to intervene. Balwinder Singh @ Kaka gave Dattar blow on the face of Bhupinder Singh, due to which his teeth were broken and he fell on the ground. Unknown persons inflicted Dang blows and the assailants fled away from the spot.

Although the injury under Section 326 IPC has been attributed to the petitioner but it is significant to note that the offence under Section 307 IPC was added subsequently. Injury on the person of Bhupinder Singh has been attributed to Balwinder Singh. Injury on the person of Bhupinder Singh has been declared to be dangerous to life and the same has not been attributed to the petitioner. The arrest of the petitioner was effected as back as on 27.5.2019. It has been stated on behalf of the petitioner that the eye-witnesses have already been examined.

Considering the above and the fact that the conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

16.01.2020

Janki

**(VIVEK PURI)
JUDGE**

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