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

**CRM-M No.41443 of 2020
Date of Decision: 18.12.2020**

PAPPA SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Manish Kumar Singla, Advocate
for the petitioner.

Mr. Sarabjit Singh, Asstt. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.43 dated 07.07.2020, registered under Sections 307, 458, 323, 324, 427, 148, 149 IPC at Police Station Bajakhana District Faridkot (Sections 326 & 325 IPC have been added later on vide rapat No.21 dated 03.10.2020).

FIR was registered on the statement of Jaswinder Kaur with the allegations that in the intervening night of 05/06.07.2020 at about 12.00 A.M., main gate of her house was

knocked by Vicky Singh and Harpreet Singh @ Billa. They entered in the house of the complainant by scaling over the wall and they opened the main gate. Paramjit Kaur @ Pammi and her daughter Peetu Kaur entered the house. Kulbir Singh armed with Tokka, Vicky Singh armed with Kappa, Hapreet Singh @ Billa and Gora Singh armed with Kirpan(s), Kala Singh armed with Rool, Gurpreet Singh armed with Dasta Kahi (wooden handle of spade), petitioner armed with Dasta Kahi (handle of spade) and Gora s/o Bikkar Singh armed with Baseball made entry in the house.

The further allegations are that the accused inflicted injuries on the person of the complainant. Petitioner gave spade blow on the left side of back of the complainant. 11 persons have been arrayed as accused in the FIR. The injury attributed to the petitioner is stated to be simple in nature.

Challan has been presented. Factual position of the case has not been disputed by learned State counsel, particularly the attribution qua the petitioner. None of the injuries on the person of the complainant Jaswinder Kaur were found to be dangerous to life. Injuries No.2, 3 and 7 are found to be grievous. Injuries No.4 to 6 and 8 to 12 are simple in nature.

Since, the petitioner is author of simple injury with *Dasta Kahi* (handle of spade), challan has been presented and

keeping in view the situation arising due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

December 18, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No