

In virtual Court

CRM-M-17938-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17938-2021 (O&M)
Date of decision: 02.08.2021

Jaswant Singh @ Jhandu

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Naveen Sharma, Advocate
for respondent No.2-complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.145 dated 03.10.2019 under Sections 307, 324, 34 IPC and Section 325 IPC (added later on), registered at Police Station Naihian Wala, District Bathinda.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Beant Singh, on 05.09.2019, his father received a call from his cousin Jagtar Singh that Jaswant Singh (petitioner) and others have encircled him. On that pretext, his father had gone there, where Jaswant Singh (petitioner), Manpreet Singh, Acchra Singh and Gurmeet Singh

were standing. When the complainant reached there, Gurmeet Singh raised a lalkara and petitioner Jaswant Singh gave an iron rod blow, which hit on the left side of head of the complainant. Thereafter, accused persons ran away. The motive for causing injury was that there was a dispute regarding path with Acchra Singh.

Learned counsel for the petitioner further submits that the petitioner is in custody since 07.01.2021 and is not involved in any other case and he is first offender. It is also submitted that the petitioner is ready to pay Rs.1.00 lacs to the victim towards medical expenses incurred by him, without prejudice to his right of defence.

Learned State counsel, assisted by learned counsel for the complainant, has filed the custody certificate dated 31.07.2021 in the Court today. He has, however, submitted that the petitioner is main accused, who has caused head injury invoking Section 307 IPC to the victim.

Learned counsel for the complainant has submitted that the victim remained in COMA for some time and the petitioner was arrested much after registration of the FIR and has delayed the investigation.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner has volunteered to pay Rs.1.00 lac to the complainant-victim namely Beant Singh towards his medical expenses and also in view of the fact that the petitioner is in custody since 07.01.2021 and is not involved in any other case, this petition is allowed and the petitioner is directed to be released on regular bail subject to

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furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

The petitioner will hand over a demand draft of Rs.1.00 lac favouring the victim namely Beant Singh towards the medical expenses incurred by him, at the time of furnishing bail/surety bonds, without prejudice to his right of defence.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

02.08.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No