

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

**CRM-M-21026-2021
Date of decision: 08.11.2021**

Lakhwinder Singh @ Lakha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0017 dated 04.02.2020, registered under Sections 323, 324, 148, 149 of the IPC (Section 308 IPC added later on) at Police Station Kamboj, District Amritsar (Rural).

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner has caused a *datar* blow on the head of the victim Sikanderpal and simultaneously co-accused Sarabjit Singh also gave a *datar* blow on the head of Sikanderpal.

Learned counsel further submits that it will be a matter of trial whether the injuries caused by the petitioner or co-accused Sarabjit Singh were declared dangerous to life invoking Section 308 IPC.

Learned counsel further submits co-accused Sarabjit Singh

has already been granted concession of regular bail by the Additional Sessions Judge, Amritsar, vide order dated 09.03.2021 considering the aforesaid fact.

It is further submitted that petitioner is in judicial custody for the last 07 months and 19 days and the investigation is complete.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position. It is also not disputed that aforesaid co-accused has already been granted regular bail by the trial Court.

After hearing learned counsel for the parties, without commenting upon the merits of the case, considering the aforesaid facts and circumstances of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

08.11.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No