

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

CRM-M No.39053 of 2020 (O&M)
Date of Decision.23.02.2021

Baljinder Singh @ Sagar

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Ms. Kanu Sharma, Advocate for
Mr. Amardeep Singh, Advocate
for the complainant.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.65 dated 18.03.2020 registered under Sections 302, 323, 341, 148, 149, 506 IPC at Police Station Gate Hakima, District Police Commissionerate, Amritsar.

Counsel for the petitioner herein would contend that the petitioner has been implicated in the said FIR on the basis of statement given by Jasbir Singh wherein it has categorically been stated that Jaspal Singh gave blows with baseball bat on the head of his father, due to which his father fell down. It is argued that in the initial statement that was recorded, name of the petitioner was mentioned as one of the persons, who were armed with *dangs* and *sotas* and had given a beating. In the supplementary statement, it is submitted that the petitioner herein had given a blow with danda on the right hand of brother of the complainant. It was

further argued that the matter has been investigated and the challan stands presented and therefore, custodial interrogation of the petitioner would no longer be required.

Counsel for the respondent-State on instructions from ASI Harjinder Singh would submit that the challan has been presented and the injury attributed to the petitioner herein is of giving a danda blow on the right hand of Amandeep Singh.

Learned counsel appearing on behalf of the complainant opposes grant of bail to the petitioner by contending that the complainant party is being harassed at the hands of the accused persons, however, on the asking of the Court, she would inform that no such complaint has been filed as on date.

I have heard learned counsel for the parties.

Keeping in view the fact that the challan has already been presented and the injury attributed to the petitioner is of giving a danda blow on right hand of Amandeep Singh and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 23, 2021

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No