

CRM-M-39324-2020

Date of Decision: 09.02.2021

Dilpreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. P.K.S. Phoolka, Advocate,
for the petitioner.

Mr. M.S. Nagra, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. seeking 'regular bail' for the petitioner in case FIR no. 0078 dated 05.04.2020, registered at Police Station Talwandi Sabo, District Bathinda, for the alleged commission of offences punishable under Sections 458/307/323/34 of the IPC.

Pursuant to the previous orders passed, an affidavit of the Deputy Superintendent of Police, Sub-Division Talwandi Sabo, dated 28.01.2021, is now on record, stating therein that the complainant, Salim Khan, and his mother Binder Kaur, were injured in the occurrence on 04.04.2020, with the complainant having been admitted to the Civil Hospital Talwandi Sabo on that date and discharged on the next day, and with his mother having been discharged from another private hospital on 06.04.2020, with a fracture of the right frontal bone detected in the CT scan.

Thereafter a Medical Board was constituted pursuant to the order of this court dated 01.12.2020, with the Board having opined that

none of the injuries, even to Binder Kaur, were dangerous to life (with the injuries on the complainant, Saleem Khan, already having been declared to be simple in nature).

Learned State counsel however submits that though of course no injury has been declared to dangerous to life, however, a grievous injury at least having been caused and the charge still to be framed against the petitioner, he does not deserve to be admitted to bail.

He further submits that there is another criminal case under the provisions of Sections 399 and 402 of the IPC registered against the petitioner, though he is on bail in that case.

Having considered the matter, in view of the opinion of the Medical Board, seen with the petitioners' period of custody (for the past 10 months as per learned State counsel) and stage of trial, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

February 09, 2021

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Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes

No.