

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10387-2022 (O&M)
Date of decision: 12.05.2022

Gurtar Singh @ Joban Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Munish Gulati, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.133 dated 30.06.2019 under Sections 324, 323, 506, 148, 149 IPC (Section 307 IPC was converted to Section 326 IPC later on), registered at Police Station Sadar, District Ferozepur.

Learned counsel for the petitioner submits that it is a case of version and cross-version and in the cross-version, even the petitioner has suffered injuries. It is further submitted that the FIR was registered on the statement of one Balwant Singh with the allegations that while he was going to the house of his brother, accused persons including the petitioner surrounded

him and gave injuries to him as well as other family members. It is also submitted that allegation against the petitioner is that he gave kirpan blow on neck of Gurbax Singh, son of the complainant.

Learned counsel further submits that during the inquiry, Section 307 IPC was deleted and Section 326 IPC was added. It is also submitted that the petitioner is in custody for the last 08 months; he is first offender; challan stands presented and out of total 32 prosecution witnesses, none has been examined. It is next submitted that since it is a case of version and cross-version, it will be a matter of trial as to what party was the aggressor party.

Learned State counsel has filed the custody certificate in the Court today and has not disputed the factual position.

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

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

12.05.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No