

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

CRM-M-35158-2021

Date of decision: 20.05.2022

Kartar Singh alias Gyani

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sanjeev Manhas, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.52 dated 10.07.2020, registered at Police Station Sadar Nawanshahr, District Shaheed Bhagat Singh Nagar, under Sections 307, 323, 342 and 506 read with Section 34 IPC.

Learned counsel for the petitioner contends that it is a case of version and cross-version; that though a *gandasi* blow on the head of the complainant has been attributed to the petitioner, but the fact remains that the petitioner had received as many as seven injuries and his wife as many as five injuries in the occurrence; that on the complaint of the petitioner, a cross-case was also recorded against the complainant party; that it is yet to be ascertained as to which party was the aggressor one, and that the petitioner has been in custody since 08.04.2021. On this premise, the learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the

grant of bail to the petitioner, submits that the petitioner, who is the main accused, had given a *gandasi* blow on the head of the complainant.

I have heard the learned counsel for the parties.

It is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one. The petitioner and his wife had allegedly received injuries in the occurrence. Out of 20 prosecution witnesses, only 01 witness has been examined so far.

The petitioner has been in custody since 08.04.2021. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

20.05.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No