

CRM-M-41068-2021

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

CRM-M-41068-2021

Date of decision:20.05.2022

Baljinder Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.B.S.Goraya, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

Mr. S.S.Swaich, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.99 dated 20.06.2020, registered at Police Station Chohla Sahib, District Tarn Taran, under Sections 302, 506, 148 and 149 IPC.

Status report dated 17.05.2022, by way of affidavit of the Deputy Superintendent of Police, P.B.I/Special Crime, Tarn Taran, District Tarn Taran, filed in the Court today, is taken on record.

Learned counsel for the petitioner contends that though as per the prosecution version, the petitioner was armed with a *kirpan*, yet no specific injury has been attributed to him; that so far as the injuries on the person of the deceased are concerned, there were as many as five injuries on his person as per the PMR; that fatal injury on the chest of the deceased had been caused with blunt weapon, but as per the allegations, the petitioner was holding a *kirpan* in his hand, and that the aforesaid fatal injury on the person of the deceased had not been caused with a sharp-

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edged weapon i.e. *Kirpan*, allegedly held by the petitioner. Moreover, co-accused, namely, Simarjit Kaur has since been granted the concession of regular bail by this Court, vide order dated 09.09.2021 (Annexure P-2).

On the other hand, learned State counsel, assisted by the learned counsel for the complainant, opposes the grant of bail to the petitioner and submits that the petitioner alongwith the co-accused had caused as many as five injuries on the person of the deceased-husband of the complainant.

I have heard the learned counsel for the parties.

No specific injury has been attributed to the petitioner. The fatal injury on the person of the deceased had been caused by the blunt weapon, but the petitioner was allegedly holding a *kirpan* i.e. sharp-edged weapon.

The petitioner has been in custody since 22.10.2020. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. As stated above, the co-accused has since been granted the concession of regular bail. 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?
Whether reportable?

Yes/No
Yes/No