

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

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**CRM-M-51071-2021
Date of decision: 09.03.2022**

Desh Singh @ Des Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Ms. Riffi Bala Birla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 35 dated 07.03.2021, registered under Sections 341, 324, 323, 427, 148, 149 and 326 (added later on) of the IPC at Police Station City Fazilka, District Fazilka.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Dinesh Singh, it is stated that he along with Sharandeep Singh had gone to attend a marriage and was having meal on a table, where co-accused of the petitioner, namely Ramandeep @ Ramni, was also having his meal.

Suddenly, Sharandeep Singh and Ramandeep @ Ramni entered into a

verbal spat and Ramandeep @ Ramni threatened him of dire consequences and when the complainant and Sharandeep were coming on a motorcycle, the petitioner and other co-accused intercepted them and caused them injuries.

Learned counsel for the petitioner further submits that as per the statement of the complainant, the petitioner has given *Kappa* blow to Sharandeep, which hit on the left side of his face.

Learned counsel further submits that without prejudice to his right of defence, the petitioner is ready to pay Rs. 30,000/- as compensation to the victim towards his medical expenses.

Learned counsel further submits that the petitioner is in judicial custody for the last 06 months and 02 days; investigation is complete and conclusion of trial is likely to take a long time.

Learned State, on the basis of the custody certificate, has not disputed the factual position and submitted that challan was filed on 02.12.2021, however, charges have not been framed so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last 06 months and 02 days; he is not involved in any other case; he has volunteered to pay a sum of Rs.30,000/- to the victim towards his medical expenses and also in view of the fact that conclusion of trial is likely to take some time as even charges have not been framed so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq

Magistrate, concerned.

However, this will be subject to a condition that the petitioner, at the time of furnishing bail/surety bonds, will hand over a demand draft of Rs. 30,000/-, favouring the victim, which will further be handed over to said victim.

The payment of aforesaid amount shall not cause any prejudice to the right of defence of the petitioner.

09.03.2022
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No