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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 1160 of 2022 (O&M)
Decided on: 30.03.2022

Gurtej Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Karan Garg, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-910-2022

Heard.

Allowed as prayed for.

CRM-M-1160-2022

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.154 dated 03.05.2021, for offence punishable under Sections 147, 149, 323, 341, 427, 506 of the Indian Penal Code, 1860 (in short 'IPC') (Section 307 IPC added later) registered at Police Station Dabwali Sadar, District Sirsa.

Counsel for the petitioner has argued that it is a case of version and cross-version and as per the allegations in the FIR, registered at the instance of Vicky Singh, he along with his brother Ajay

Singh, were coming to their house and when they reached in front of the shop of Darshan Singh, then Angrej Singh came and said that why they are abusing him and on that pretext, a sudden provocation took place between both the sides. It is further submitted that from the petitioner's side, the petitioner – Gurtej Singh, has suffered 03 injuries, which are lacerated wounds, Lakhbir Kaur also suffered 02 injuries, Gurmail Singh suffered 02 injuries and one Lovely and Leela Singh also suffered 04 injuries.

Counsel for the petitioner has further submitted that it is yet to be established as to which party was the aggressor. It is also argued that the petitioner is in custody for the last about 09 months and 27 days and he is not involved in any other case.

Counsel for the State on the basis of the affidavit of the Deputy Superintendent of Police, Dabwali (Sirsa), submits that the petitioner has caused Sabal blow on the abdomen of the father of the complainant and he sustained injuries, which were declared dangerous to life.

Be whatsoever, without commenting anything on merits of the case, considering the fact that the petitioner is in long custody of about 10 months; till date, no PW has been examined as charges are yet to be framed; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

30.03.2022
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No