

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7730-2022 (O&M)
Date of decision: 20.07.2022

Sukhraj Singh @ Raju Doctor

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 2nd petition is for grant of regular bail in FIR No.120 dated 18.08.2020 under Sections 323, 324, 148, 149 IPC (Sections 308, 326, 325 IPC were added later on), registered at Police Station Baghapurana, District Moga; earlier one was dismissed as withdrawn on 29.09.2021.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of one Sukhchain Singh @ Sukha, he is a labourer and on 11.08.2020, he was present at home along with his friends Pardeep Singh and Jagjeet Singh, when the accused namely Baba, Sukha Singh, Raju Doctor Alamwala and 2-3 unidentified persons came. They were armed with weapons like kappa. One unidentified person raised a lalkara that the victim be taught a lesson for getting into fight. Thereafter, Baba gave a kappa

blow from the reverse side on his head, Sukha Singh gave kappa blow, which hit on inner calf of his right leg, Raju Doctor Alamwala gave kirpan blow, which hit on outer side of his left leg upon knee and thereafter, he fell down and was rescued by two other persons.

Learned counsel has further submitted that the petitioner is in custody for the last 01 year, 02 months and 28 days and as per opinion given by the doctor, injury No.1, which is on head of the victim, was dangerous to life. This injury, as per the FIR, is attributed to co-accused Baba. It is also submitted that challan stands presented and no prosecution witness has been examined, therefore, it will take some time in conclusion of the trial.

Learned State counsel has filed the custody certificate in the Court today and as per allegations in the FIR and on the basis of opinion given by the doctor, could not dispute the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering long custody of the petitioner and stage of the trial, 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

20.07.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No