

CRM-M-51600-2022

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

CRM-M-51600-2022

Date of decision: 13.12.2022

Kulwinder Singh @ Buntty

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Arnav Sood, Advocate,
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Mr. Ajay Pal Singh Rehan, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition (the first one having been dismissed as withdrawn on 01.04.2022), the petitioner seeks regular bail in case FIR No.229 dated 17.12.2021, registered at Police Station Mukerian, District Hoshiarpur, under Sections 323, 324, 452 and 34 IPC and Sections 326 and 307 IPC (added later on).

Learned counsel for the petitioner contends that as per the prosecution version, the petitioner had given *kirpan* blows on the left hand and back side of head of the complainant; that Section 307 IPC has been added subsequently to the above-noted FIR; that the petitioner has not been attributed any injury dangerous to life; that challan has been presented and that the prosecution witnesses are yet to be examined. So far as two other cases registered or pending against the petitioner, are concerned, he has

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been released on bail therein. The petitioner has been in custody since 28.12.2021.

On the other hand, learned State counsel and the learned counsel for the complainant, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused had brutally attacked the complainant and that injury dangerous to life has been attributed to the petitioner. However, they do not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

Challan has been presented. Section 307 IPC has been added at a later stage. The petitioner has been in custody since 28.12.2021. The prosecution witnesses are yet to be examined. So far as two other cases registered or pending against the petitioner, are concerned, he has been released on bail therein. 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.

13.12.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No