

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53514-2022
DECIDED ON: 24.11.2022

BALWINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Jagraj Singh Khiva, Advocate
for the petitioner.

Mr. P.K. Aggarwal, DAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.62, dated 13.07.2022, under Section 307, 341, 324, 323, 148 and 149 of the IPC (vide DDR No.20, dated 11.10.2022, offence under Sections 148 and 149 IPC has been deleted and offence under Section 34 IPC has been added), registered at Police Station Jhunir, District Mansa.

Learned counsel for the petitioner contends that the injury attributed to the petitioner is with Gandasa on the right shoulder of the complainant-injured, whereas the injury on the head of the complainant-injured is found to be declared as dangerous to life, which has been caused by one Jagtar Singh @ Jagga, with Gandasa. He further asserts that the main accused namely Jagtar Singh @ Jagga has been declared to be innocent during the course of investigation.

On the other hand, learned State counsel, on instructions from HC Gurpreet Singh, submits that the co-accused Jagtar Singh @ Jagga has been declared to be innocent and the injury attributed to the petitioner is found to be simple in nature.

Looking at the totality of the facts and circumstances and the nature of injury attributed to the petitioner, it is evident that offence under Section 307 IPC, prima facie is not made out qua the petitioner and also the aspect that the main accused Jagtar Singh @ Jagga, to whom the injury on head was attributed, has been declared as innocent, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

24.11.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>