

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34382-2021
DECIDED ON: 4th JANUARY, 2023

KAPTAN SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ankit Rana, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 61, dated 30.08.2020, under Sections 302, 449, 323, 148, 149 and 120-B IPC (Sections 324, 325, 326 and 506 IPC added later on), registered at Police Station Pojewal, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner contends that since the injuries attributed to the petitioner which were given to the complainant, his wife and his sister, have been declared grievous in nature but no injury has been attributed to the petitioner, on the person of the deceased.

Custody certificate of the petitioner filed by learned State counsel, is taken on record. A perusal of the said certificate shows that the petitioner is behind the bars for the last 2 years 4 months and 3 days and is not involved in any other case of similar nature.

On a specific query put by this Court, learned State counsel, on instructions, submits that the recovery of 'gandasa' has already been effected and now no recovery is to be effected from him.

In view of the afore-said facts and circumstances and the custody period undergone by the petitioner and also the fact that no injury has been attributed to the petitioner on the person of the deceased, the petitioner is ordered to released on regular bail subject to his furnishing requisite bail/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

Disposed off.

(SANDEEP MOUDGIL)
JUDGE

4th JANUARY, 2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>