

2023:PHHC:110893

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

229

**CRM-M-30800-2023
Date of decision : 24.08.2023**

Sukhdev Raj**..... Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Neeraj Madaan, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.109 dated 19.11.2021, registered for the offences punishable under Sections 325, 323 and 34 IPC (Sections 326, 324 and 201 IPC added later on and Section 325 IPC deleted later on), at Police Station Khui Khera, District, Fazilka.

2. Counsel for the petitioner contends that the dispute is between husband and wife. Injuries attributed are on finger of right hand. Petitioner is behind bars for more than 03 months and 18 days. Counsel further submits that the challan already stands presented.

3. The aforesaid assertions made by counsel for the petitioner are not disputed by counsel for the State. However, he submits that the petitioner is facing another FIR under Section 326 of IPC though stands admitted to bail.

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4. Keeping in view the fact that the present petition is out of matrimonial discord and the complainant as well as the accused are still stated to be living in matrimonial house, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, subject to the condition that in case the petitioner again resorts to domestic violence, complainant shall be at liberty to move an appropriate application before the police authorities and on receiving such application, the prosecution shall immediately moved for cancellation of bail.
5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

24.08.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No