

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

222

CRM-M-34955-2023  
Date of Decision: 26.07.2023

Kuldeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dhiraj Jindal, Advocate for the petitioner.  
Mr. Sandeep Kumar, DAG, Punjab.

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AVNEESH JHINGAN, J. (Oral)

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR mentioned below :-

| FIR No. | Date       | Police Station                   | Sections                                                                     |
|---------|------------|----------------------------------|------------------------------------------------------------------------------|
| 53      | 08.03.2022 | Bhawanigarh,<br>District Sangrur | 323,324,34 IPC,<br>1860 and<br>Sections 326 and<br>201 IPC added<br>later on |

2. The brief facts of the case are that the FIR was lodged at the behest of complainant Kaka Singh. It was alleged that on 05.03.2022 Nanak, Kuldeep Singh (Petitioner), Gurdhian Singh, Baldev Singh, Karamdeep Kaur and Harsh Kaur came to the house of Baljit Kaur for sowing crop. After sowing the crop, there was an altercation in which the petitioner tried to give a *gandasa* blow on the head of the complainant but the injury was

inflicted on the finger of the left hand. Gurdhian Singh gave stick blows and Karamdeep Kaur caught hair of the daughter of the complainant.

3. Learned counsel for the petitioner submits that the injury attributed is on a non-vital part, no further recovery is to be made. Petitioner is in custody since 16.06.2023, investigation is complete. He relies upon the facts that the co-accused were granted anticipatory bail by this Court.

4. Learned State counsel opposes the prayer however, fairly submits that no further recovery is to be made as Section 201 IPC has been added. Petitioner is not involved in any other case.

5. Without commenting on the merits of the case, considering the that petitioner has clean antecedents, no recovery is to be made, though investigation is complete conclusion of trial is likely to take time and the co-accused were granted anticipatory bail, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main case has been allowed, the pending application(s), if any is rendered infructuous.

(AVNEESH JHINGAN)  
JUDGE

**July 26, 2023**

Rajeev (rvs)

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No