

208

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44166-2023(O&M)

Date of Decision:17.10.2023

Budh Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vipul Aggarwal, Advocate, for the petitioner.

Mr. Ramdeep Partap Singh, Senior DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.131 dated 29.06.2023, under Sections 307, 323, 326, 34 IPC (Section 326 IPC added later on), registered at Police Station Ajnala, District Amritsar Rural.

2. Learned counsel for the petitioner has submitted that the petitioner is 70 years of age and he is in custody from 29.06.2023 and investigation of the case has been completed and thereafter challan has been presented qua him. He further submitted that the dispute in the present case was pertaining to the tubewell water and the allegations were that the petitioner alongwith his son Harmeet Singh had caused injuries to the complainant and which were declared as grievous by the Board of Doctors. He further submitted that the investigation of the case has already been completed and the trial of the case may take long time and considering the age of the petitioner due to which he is also suffering from various medical ailments, he may be considered for the

grant of regular bail.

3. On the other hand, Mr. Ramdeep Partap Singh, Senior DAG, Punjab has submitted that so far as the custody of the petitioner is concerned, the same is correct. He has however submitted that the injuries suffered by the complainant were grievous in nature.

4. I have heard the learned counsel for the parties.

5. The petitioner is stated to be of the age of 70 years and is also stated to be having medical ailments. The investigation has been completed qua the petitioner and challan has been presented. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

17.10.2023

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No