



CRM-M-36799-2024

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232 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36799-2024 (O&M)
Decided on : 30.09.2024

Sukhdev Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

CRM-37869 and 39331-2024

Allowed as prayed for. Documents (Annexures P-4 to P-6) are taken on record subject to all just exceptions.

Main case

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.42 dated 26.04.2022 under Sections 307, 325, 323, 341, 506, 148 and 149 IPC registered at Police Station Daba, Police Commissionerate Ludhiana District Ludhiana.
2. Learned counsel for the petitioner submits that although the petitioner has been attributed two injuries in the FIR in question, one on the head of the complainant and other on the thumb of the



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complainant's wife, however, injury on the head of the complainant was not opined to be dangerous to life.

3. Learned State counsel, on the last date of hearing, had opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had been attributed specific injury with the brick on the head of the complainant. However, he had sought an adjournment to reverify as to whether any of the injuries attributed to the petitioner had been opined to be dangerous to life.

4. Learned State counsel, on instructions, has submitted that the injury inflicted on the head of the complainant and attributed to the petitioner has indeed not been declared to be dangerous to life. However, it has been submitted that the injury inflicted on the thumb of the complainant's wife was a grievous injury.

5. Learned counsel for the petitioner has submitted that since investigation in the present case is complete and challan stands presented, further incarceration of the petitioner in the given circumstances would serve no useful purpose, more so, when the injury inviting the mischief of Section 307 IPC has not been attributed to him.

6. On a pointed query put to the learned counsel for the State, he has, on instructions, submitted that the petitioner has no previous criminal antecedents. Learned State counsel has, on further instructions, submitted that as many as 12 witnesses have



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been cited by the prosecution and the next date of hearing fixed before the Trial Court is 28.10.2024 when the trial is likely to proceed further.

7. I have heard learned counsel for the parties and perused the material placed on record.

8. The petitioner has been in custody since 06.06.2024. The injury inviting the mischief of Section 307 IPC is not attributed to the petitioner. The investigation in the case in hand is complete as challan stands presented.

9. In the facts and circumstances as enumerated hereinabove and in view of the nature of injury attributed to the petitioner, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

30.09.2024
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(MANJARI NEHRU KAUL)
JUDGE

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