
Dilbar Vs State of Punjab

Criminal Miscellaneous No. 35033-M of 1998 and Criminal Miscellaneous No. 5923 of 1999

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: March 9, 1999

Citation: (1999) 3 AICLR 750 : (1999) 3 RCR(Criminal) 644

Hon'ble Judges: M.L.Singhal, J

Advocate: Baldev Singh, I.P.S. Sidhu, Ramesh Chahal, Advocates for appearing Parties

Judgement

M.L. Singhal, J.

1. Heard. According to the prosecution, on 28.8.1998, Jaspal Singh had gone to the shop of Inderjit Singh for purchase of sundry articles. After

purchasing sundry articles, he was returning to his house and when he was passing through the street in front of the house of Buta Mohammad,

Buta Mohammad, Ziro wife of Buta Mohammad, Zarina wife of Dilbar carrying wooden thapi and Babi daughter of Buta Mohammad were found

standing in the street. Zarina stopped Jaspal Singh to tell them the date of hearing of the case relating to the kidnapping of Meena Kumari d/o Buta

Mohammad by his brother Randhir Singh alias Dhira. Jaspal Singh told them that he was aware of the date. Meanwhile, Dilbar son of Buta

Mohammad (petitioner herein) armed with sword, Bahadur alias Badi soninlaw of Buta Mohammad armed with sword came running from house in

the street towards Jaspal Singh. Dilbar raised lalkara exhorting Bobby etc. to catch hold of Jaspal Singh. Bobby caught hold of Jaspal Singh from

his hair and Ziro caught hold of him from his right arm and threw him. Dilbar dealt sword blow which fell on the right leg of Jaspal Singh below the

knee as a result the bone of his leg was broken/cut. He gave him another sword blow which fell a little below the point where the first blow had

struck him. He gave him another sword blow which fell on his right leg a little above the ankle. Gami dealt sword blow which struck Jaspal Singh at

the left knee. Bahadur alias Badi struck him with sword twice on his left foot. Zarina also dealt thapi blow which fell on his neck.

2. Learned counsel for the petitioner submits that the petitioner has been in jail since 3rd September, 1998 and he was allowed interim bail by this

court vide order dated 12.1.1999 with a view to be able to have his son operated for congenital heart problem. Jaspal Singh injured is before this

court. Other coaccused Gami and Bahadur were allowed bail on 7th December, 1998. Challan has been put in. Charge has been framed and now

the case is fixed for prosecution evidence for 15.3.1999. Learned counsel for the petitioner states that the petitioner's son is yet to be operated

and further respectables are intervening to see that Jaspal Singh is adequately compensated for the injuries done to him. Jaspal Singh who is

present in court does not dispute this position.

3. Bail to the petitioner to the satisfaction of Chief Judicial Magistrate, Kapurthala.

4. Crl. Misc. 5923 of 1999 becomes infructuous and is accordingly disposed of.