

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

CRM-M-20422 of 2015.

Date of Decision: June 30, 2015.

Randeep Kumar alias Laddi and anotherPetitioners.

VERSUS

State of PunjabRespondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Ranjan Lakhanpal, Advocate for the petitioners.

Mr. A.S. Klar, Assistant Advocate General, Punjab
assisted with Assistant Sub Inspector Jaspal Singh.

SNEH PRASHAR, J.

This petition under Section 439 of the Code of Criminal Procedure (in short, "Cr.P.C.") was filed by petitioners for grant of regular bail in case First Information Report No.39 dated 15.02.2015 under Sections 452/34/323/307/325/326/148/149/120-B of the Indian Penal Code (in short, "I.P.C.") registered at Police Station Salem Tabri, District Ludhiana City.

On the statement of Shri Parkash son of Jag Ram Yadav, the First Information Report, particulars of which have been mentioned above,

was registered. The version of the complainant, endorsed by number of persons present with him, was that on 15.02.2015 at 8 p.m., 3/4 persons having muffled faces had entered his shop and attacked his father. They inflicted injuries on his hands, legs and head etc. and fled away.

The statement of injured Jag Ram Yadav was recorded on 20.02.2015. In his said statement, he named Jaswant Singh Cheema, his nephew and two brothers of Simran Kaur as the accused. Lateron, in his supplementary statement dated 20.03.2015, he named 12 persons as the assailants including the petitioners. He also added that the leader of the gang namely, Babla Cheema, nephew of Jaswant Singh Cheema was armed with '**Datar**' and pistol.

Heard the submissions made by Mr. Ranjan Lakhanpal, learned counsel representing the petitioners and Mr. A.S. Klar, Assistant Advocate General, representing the State of Punjab.

Indeed, as pointed out by learned counsel for the petitioners, in the First Information Report the son of the injured had stated that the assailants were 3/4 in number. In his initial version, the complainant nominated four persons. Though he did not name all of them but he stated that one was Jaswant Singh Cheema, the other nephew of Jaswant Singh Cheema and two were brothers of Simran Kaur. The petitioners were not named in the said statement. It is in the second supplementary statement that the names of the petitioners surfaced. In any case, no specific injury was attributed to the petitioners. Recovery of weapons has already been made.

The facts reveal that the petitioners are in custody since 04.04.2015. The charge sheet has been filed, but the trial is still to start and is likely to take some time whereas there appears to be no plausible ground to detain the petitioners in custody. Accordingly, the present petition is allowed. The petitioners are ordered to be enlarged on bail on their furnishing bail/surety bonds to the satisfaction of learned Chief Judicial Magistrate, Ludhiana.

(SNEH PRASHAR)
JUDGE

June 30, 2015
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