

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

Crl.Misc.No.M-21108 of 2015(O&M)

Date of Decision : 23.07.2015

Mohra @ John

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Ashwani Arora Advocate for the petitioner
Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 5 dated 4.1.2015 registered under Sections 307, 452, 324, 323, 427, 148, 149 IPC at Police Station Sadar, Ferozepur, District Ferozepur, Punjab.

According to the FIR the complainant while returning home from the shop was accosted aggressively by one Bittu s/o Nawab without any provocation and subsequently one Prem in front of whose shop the petitioner had been accosted by Bittu came armed with sword while Subhash armed with kappa, Pali and Tanny armed with sticks, Sajjan @ Dholi armed with kappa, Mohra (present petitioner)armed with stick, Suraj and Rakesh armed with baseball bat, Babbu, Darshan @ D.C, Babbi, Kurshed, Piaro, Gama armed with bricks came at the spot and attacked him.

The petitioner is alleged to be armed with stick but no specific role has been attributed to him.

Learned counsel for the petitioner contends that the petitioner is in custody since March, 2015 and in view of the fact that no specific role has been attributed to him except being present at the time of occurrence armed with stick, he would be entitled to bail, particularly, when his co-

accused is granted similar benefit.

On due consideration of the matter and noticing the fact that the petitioner has not been attributed any specific role in causing injuries to the complainant and the fact that he is in custody since March, 2015 and challan has already been submitted and trial is likely to take some time, instant petition is allowed. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of the learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

July 23, 2015
rekha

(Mahesh Grover)
Judge