

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

CRM-M-31702-2015 (O&M)

Date of Decision: September 22, 2015

Deepak Kumar @ Deepu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

- 1. *Whether Reporters of local papers may be allowed to see the judgment ?***
- 2. *To be referred to the Reporters or not ?***
- 3. *Whether the judgment should be reported in the Digest?***

Present: Mr.H.S.Thiara, Advocate
for the petitioner.

Mr.P.S.Ghuman, Addl.A.G.Punjab.

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NARESH KUMAR SANGHI, J.(ORAL)

Prayer in this petition, filed under Section 439, Cr.P.C.,
is for grant of regular bail to the petitioner, Deepak Kumar @
Deepu, son of Vijay Kumar, resident of Mohalla Bagichi Nathan,
Jail Road, Jalandhar, who has been booked for having committed
the offences punishable under Sections 148 and 307 read with
Section 149, IPC, and Section 25 of the Arms Act, 1959, in a case
arising out of FIR No.134, dated 15.07.2015, registered at Police

Station, Navi Baradari, Jalandhar, Punjab.

Learned counsel contends that even if the whole case of the prosecution is taken at its face value, then also it cannot be said that the petitioner was part of the groups which were fighting in front of Maya Hotel; no weapon of offence was recovered from the petitioner despite the fact that he was arrested from the spot and that after completion of the investigation qua the petitioner, he was sent to judicial custody.

Learned counsel for the State, after taking instructions from ASI Rakesh Kumar of Police Station, Navi Baradari, Jalandhar, and going through the police file, has not controverted the factual aspects raised by learned counsel for the petitioner.

After hearing the learned counsel for the parties and taking into consideration the facts and circumstances of the case, the present petition is allowed. The petitioner, Deepak Kumar @ Deepu, son of Vijay Kumar, resident of Mohalla Bagichi Nathan, Jail Road, Jalandhar, is directed to be released on bail during pendency of the trial of the present case subject to his furnishing bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

September 22, 2015
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(NARESH KUMAR SANGHI)
JUDGE