

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

CRM-M No.39845 of 2015

Date of decision: 9th December, 2015

Vikramjit Pahwa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab.

Mr. D.K. Nagar, Advocate
for the complainant.

FATEH DEEP SINGH, J.

Brief allegations against the petitioner Vikramjit Pahwa (also referred to as, 'Vikram Pahwa') in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.150 dated 12.09.2015 registered at Police Station City SBS Nagar under Sections 342/323/382/34/325/308 IPC, that have been brought to the notice of this Court are that complainant Nitin Kalia along with the petitioner jointly purchased a plot of land which, it is alleged, was got registered by the present petitioner in his name instead of being in joint names and as a consequence of this dispute, it is alleged, that on 08.09.2015 complainant was called at the shop of the petitioner and where he was assaulted.

Contentions of the learned State counsel that the lung injury was what led to the critical state of the injured and that the seriousness of the offence does not call for grant of bail as the petitioner is principal accused.

It is contended on behalf of the petitioner that the petitioner is in custody since 03.10.2015 and that similarly placed co-accused Ram Pal @ Suraj Bhardwaj @ Laddi and Akshey Verma have been granted regular bail vide order dated 04.11.2015 of this Court.

Appreciating the arguments of two sides, apparently the MLR does not reflect any injury except reddish contusion on the chest by way of injury No.3. However, as has been conceded by the learned State counsel, there is nothing abnormal detected in the C.T. Scan to suggest any physical injury leading to this internal injury to the lung. The injured has since been discharged from hospital and petitioner is in custody since 03.10.2015 coupled with the fact that investigations and trial will take a long time to conclude and on account of principle of parity and there being no specific injury attributed to the petitioner, impels this Court to allow the prayer made. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Shaheed Bhagat Singh Nagar.

The present petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

December 9, 2015
rps