

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

CRM-M-6841-2015

Date of decision: 26.3.2015

Raj Kumar alias Raju and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Gaurav Sharma, Advocate for the petitioners

Ms.Simsi Dhir Malhotra, DAG, Punjab

SNEH PRASHAR, J.

The instant petition under Section 439 of the Code of Criminal Procedure has been filed for grant of regular bail to the petitioners in case FIR No. 138 dated 10.5.2014, registered under Sections 307, 326, 323, 324, 341, 420, 427, 467, 471, 148, 149, 120-B of the Indian Penal Code (for short 'the Code) at Police Station Civil Lines, District Amritsar City.

It is submitted by the counsel for the petitioners that the petitioners are not named in the FIR. They have been falsely implicated in the present case on the disclosure statement made by the co-accused during investigation. Similarly placed co-accused Shammi Randhawa alias Lali, Prabhjit Singh Ratol and other have already been enlarged on bail by this Court. Petitioners No.1, 2 and 4 are in custody since 15.5.2014, whereas, petitioner No.3 is in

custody since 19.5.2014.

On the other hand, learned counsel appearing for the State opposes the prayer of the petitioners. She submits that the petitioners alongwith co-accused caused injuries to the complainant, out of which one is under Section 307 of the Code .

The submissions of Mr.Gaurav Sharma, Counsel representing the petitioners and Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab have been heard.

It is debatable that the case is covered under Section 307 of the Code as the grievous injury suffered by the injured-complainant is on the hands. The Petitioners were named by his co-accused during investigation. Co-accused Shammi Randhawa alias Lali, Prabhjot Singh Ratol, Raman and others have already been enlarged on bail by this Court vide orders dated 2.12.2014 and 19.2.2015 passed in CRM-M-39146 of 2014 and CRM-M-40929-2014. The trial is likely to take a long time. The petitioners are in custody since May, 2014.

Keeping in view the peculiar facts and circumstances of the case and without commenting on merits of the case, the present petition is allowed. The petitioners are released on regular bail subject to furnishing bail bonds to the satisfaction of the learned trial Court.

26.3.2015

(SNEH PRASHAR)
JUDGE