

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

**CRM-M No.10564 of 2016 (O&M)
Date of Decision: 28.05.2016**

Mahesh Kumar @ Mahhi

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Achin Gupta, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Charanjeet Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Mahesh Kumar @ Mahhi in case FIR No.121 dated 25.12.2015 for the offences punishable under Sections 341, 323, 148, 149 of the Indian Penal Code (Sections 325, 308, IPC added later on), registered with Police Station Cantt. Bathinda, District Bathinda.

The complainant-Aman Singh and his friend-Aakash and brother-Gurjit Singh were waylaid by the petitioner-accused along with five co-accused/non-applicants, armed with *Iron Rods, Handle of Handpump* etc. and caused injuries upon them.

The injured-Aakash has suffered six injuries, three grievous in nature and one dangerous to life. The injured/complainant-Aman Singh has suffered seven injuries, all simple in nature whereas Gurjit Singh has suffered four injuries, all simple in nature.

It is contended that the aforesaid grievous injuries are attributed to co-accused/non-applicants Anarjit, Kanwaljit and Deepak Chhota whereas

one injury opined as dangerous to life attributed to co-accused Raju Nepali.

The petitioner has not been attributed any role except that of standing, armed with *handle of Handpump*.

The petitioner is stated to be in custody since 14.01.2016 and after presentation of the challan, charges framed and evidence of 20 cited prosecution witnesses is yet to commence.

Learned State Counsel, assisted by ASI Charanjeet Singh, does not refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the limited role attributed to the petitioner, custody period and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 28, 2016

Gagan

**(JASWANT SINGH)
JUDGE**