

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

**CRM-M No.10581 of 2016 (O&M)
Date of Decision: 11.05.2016**

Rajesh Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Gurmukh Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Rajesh Kumar in case FIR No.73 dated 04.12.2015, under Sections 307, 324, 148 and 149 of the Indian Penal Code, registered with Police Station Dera Baba Nanak, District Gurdaspur.

As per the version of the complainant-Satpal Sounki, his son-Rashdeep Kumar @ Rishu was waylaid by the petitioner/accused-Rajesh Kumar, accompanied by his co-accused wife-Renu Bala and co-accused brother-Rakesh Kumar and inflicted injuries. The injured-Rashdeep Kumar has suffered two injuries, one on the head and second on the shoulder. First injury has been opined to be grievous in nature and the second simple.

The role attributed to the petitioner is of inflicting both the injuries on the injured by his *Datar*.

It is contended that the petitioner is in custody since 05.12.2015 and after completion of the investigation, challan stands presented. The evidence of 13 cited prosecution witnesses is yet to commence. The petitioner is stated to be not involved in any other case.

Learned State Counsel, assisted by ASI Gurmukh Singh, does not dispute the custody period, non-involvement of the petitioner in any other case and stage of the trial.

Without commenting on the merits of the case, keeping in view the custody period, non-involvement of the petitioner in any other case and the fact that trial is not likely to be concluded in near future, this Court finds that the 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 11, 2016
Gagan

(JASWANT SINGH)
JUDGE