

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

***CRM No.M-10722 of 2016 (O&M)
Date of Decision: 06.04.2016***

Rajan Masih @ Raja

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Zorawar Singh Chauhan, Advocate for the petitioner.

Mr. K.D. Sachdeva, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.161 dated 23.10.2011, under Sections 307/324/341/148/149/120-B IPC, registered at Police Station Phillaur, District Jalandhar.

FIR has been registered on the statement of Sanjeev Batra in relation to an occurrence that is stated to have been taken on 23.10.2011. Complainant is stated to have been assaulted by Michel Masih, James Masih, Jeevan Kumar and three more unknown assailants. Specific roles/injuries have been attributed to co-accused who have been noticed hereinabove.

Name of the present petitioner does not even figure in the FIR.

It has gone uncontroverted that the petitioner is sought to be implicated in the present case on the basis of disclosure statements of Dineal Masih and Jeevan Kumar and even as per such disclosure statements, petitioner was stated to be unarmed and a fist blow has been attributed to him.

Challan qua the present petitioner has till date not been presented. Petitioner is stated to be in custody since 08.11.2014 in relation

to another FIR No.287 dated 08.11.2014 under Sections 22/61/85 of the NDPS Act, registered at Police Station Phillaur, District Jalandhar.

In view of the above, petitioner is held entitled to the benefit of bail in the present FIR i.e. FIR No.161 dated 23.10.2015.

Accordingly, petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

Disposed of.

06.04.2016

shubham

**(TEJINDER SINGH DHINDSA)
JUDGE**