

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

CRL. MISC. No.M-16729 OF 2016
DATE OF DECISION : 22nd AUGUST, 2016

Satvir Kumar @ Rajan

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Shilesh Gupta, Additional Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.71 dated 30.08.2014 registered under Sections 307, 326, 324, 148 & 149 IPC and Section 25, 27/54/59 of the Arms Act at Police Station Behram, District S.B.S. Nagar.

Heard learned counsel for the rival parties and perused the impugned order.

The only allegation against the petitioner is that the petitioner-Satvir Kumar @ Rajan has given a blow on the knee of the complainant. Though the petitioner was a member of unlawful assembly, the fact remains that he had given a blow by means of *khanda* on the knee of the complainant as against the other persons giving the blows by dangerous weapons on the head of the complainant.

As contended by learned State counsel the petitioner has some more prosecution of the similar type to his credit but counsel for the petitioner states that he was released on bail in those cases and is on bail. Even in ordinary course, application of the petitioner would have been rejected but for nature of offence against the petitioner, he should be granted concession of bail. Learned counsel for the petitioner gives undertaking that the petitioner would not indulge in similar type of offence.

In view of the above, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The petition is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the CJM/Duty Magistrate, S. B. S. Nagar, subject to the undertaking given by the petitioner on affidavit that he will not indulge in similar type of offence.

22nd AUGUST, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE