

CRM-M-28169-2017

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

**CRM-M-28169-2017
Date of Decision: 18.08.2017**

Mintu @ Mau and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Navkiran Singh, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioners-Mintu @ Mau, Buntty @ Vijay Kumar and Shanty have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.190 dated 20.11.2016, registered at Police Station Division No.5, Jalandhar, under Sections 307, 324, 323, 326, 148 and 149 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

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From the record, I find that firstly, there is no MLR conducted qua the injuries. The injured have been treated in the private hospitals.

Learned counsel for the petitioners argued that injured-Sahil has been discharged from the hospital after 10 days, but he gave the statement attributing specific injuries etc. after six months of the occurrence. He further contended that the injuries given by Bunty and Shanty @ Haveli have not been specifically mentioned in the FIR and now the prosecution says that they were armed with *datars* and caused injuries to Sahil which have been collectively declared dangerous to life. He further argued that Board of Doctors has only seen the record and stated that the said injuries cannot be caused with friendly hand. However, earlier the doctor gave the opinion that these injuries can be dangerous to life. So far as petitioner No.1-Mintu @ Mau is concerned, he is stated to have caused injury to the complainant, but there is also no MLR of the complainant.

The petitioners have been in custody since 27.03.2017. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal

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miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

18.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No