

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

CRM-M-9396 of 2017 (O&M)

Date of decision: 24.03.2017

Pawan Kumar @ Vipin

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.P. Dhir, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. R.S. Atwal, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.139 dated 08.09.2015, registered under Sections 302, 148, 120-B read with Section 149 of IPC, at Police Station Garhshankar, District Hoshiarpur.

It is contended that no specific injury has been attributed to the petitioner in the statement of the complainant. The petitioner has been falsely implicated in the instant case.

On the other hand, the learned State counsel as well as the learned counsel for the complainant oppose the bail application.

As per FIR, the accused persons including the present petitioner, had

come armed with 'dangs and 'sotis' and upon an exhortation raised by co-accused, Pappa, and a 'dang' blow inflicted by him, the complainant had fallen down. Thereafter, the petitioner and other co-accused had indiscriminately caused injuries with their weapons on the head and legs of complainant.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioner has been specifically named in the FIR. His presence and active participation is made out from the FIR. Therefore, no case for grant of relief sought, is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

However, considering the period of incarceration, the trial Court is directed to conclude the trial expeditiously preferably within six months from the date of receipt of certified copy of the order.

24.03.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No