

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

CRM-M-2932-2018 (O&M)

Date of decision: 29.01.2018

Lovepreet @ @ Labhu

... Petitioner

Vs.

State of Punjab

... Respondent

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

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

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.254, dated 07.10.2017, under Sections 307/452/324/323/506/148/ 149 IPC (Section 120-B IPC added later on), registered at Police Station Adampur, District Jalandhar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Sukhwinder Kumar in relation to an alleged occurrence dated 05.10.2017.

As per version of the complainant, he was attacked by Nachhatar armed with a kirpan, Sunny armed with a datar, Raja also armed with a datar and Ajai Kumar armed with a baseball bat. Raja is alleged to have raised a lalkara and the afore noticed co-accused inflicted kirpan, datar and baseball bat blows on the person of the complainant.

Name of the present petitioner did not even figure in the FIR since as per initial version of the complainant although specific roles/injuries were attributed to co-accused but the presence of the present petitioner was not recorded.

Petitioner is stated to be implicated on the strength of a supplementary statement recorded of the complainant on 07.11.2017. Even as per such supplementary statement, petitioner was stated to be armed with a datar although no specific role/attribution has been made against him. Petitioner was arrested on 07.11.2017.

Investigation in the case is complete and challan has been presented.

Trial is at the very initial stage and would take time to conclude.

Keeping in view the role attributed to the petitioner and wherein the injuries resulting in the attraction of offence under Section 307 IPC stand attributed to other co-accused and not to the present petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

29.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No