

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

CRM-M-38038 of 2017 (O&M)
Date of decision: April 27, 2018

Mandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sandeep Arora, Advocate for the petitioner.
Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Rajan Gupta, J.(oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 308, 323, 325, 427, 452, 459, 460, 148, 149 IPC at Police Station Bhogpur, District Jalandhar, vide FIR No.61 dated 28.5.2016.

It has been vehemently contended by counsel for the petitioner that injuries attributed to the petitioner are simple in nature. Out of fourteen persons arraigned as accused, twelve have already been released on bail. Petitioner deserves concession of bail as he has been incarcerated for last ten months.

Plea has been opposed by the State counsel. According to him, petitioner was armed with an iron rod. He caused four injuries to the injured Sohan Lal. He hit him with iron rod on upper part of left side of eye. Injury caused thereby has been declared dangerous to life by the

doctors. Another two injuries were caused on right knee. Besides, petitioner absconded during proceedings. He was declared a proclaimed offender on 2.12.2016 and surrendered on 14.6.2017.

Keeping in view the nature of allegations and conduct of the petitioner, I am of the considered view that he is not entitled to concession of bail on parity with other accused. Main injury attracting offence under section 308 IPC is attributed to him. Besides, he was declared a proclaimed offender and remained absconded for more than six months. It appears, the matter came up for hearing before a coordinate bench (A.B. Chaudhari, J.) on December 11, 2017, wherein the court was pleased to observe that petitioner would be at liberty to press the instant petition, after all the witnesses have been examined/cross-examined. Admittedly, this stage has not come. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

April 27, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No