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

**CRM-M No.6944 of 2018  
Date of Decision: 12.03.2018**

**RAHUL @ CHAMUDA**

**.....Petitioner**

**Vs**

**STATE OF UT CHANDIGARH**

**.....Respondent**

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Mr. Kamal Jit Rana, Advocate  
for the petitioner.

Mr. Amit Kumar Goyal, APP UT, Chandigarh.

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**RAJ MOHAN SINGH, J. (Oral)**

At the very outset, learned counsel for the petitioner submitted that headnote of the offence under Section 323 IPC has been wrongly mentioned as 232 IPC. The same may be read as Section 323 IPC in place of Section 232 IPC.

Ordered accordingly.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.364 dated 20.12.2017, registered under Sections 341, 323, 506, 34 IPC (added Sections 324, 308 IPC) at Police Station Industrial Area, U.T., Chandigarh.

The occurrence took place in front of liquor shop where birthday of the complainant Nishu Rishan was being celebrated by the complainant party. Petitioner along with others came there and there was an altercation between both the sides. Allegations of brick batting were made in which Suraj, Dinesh Mandal, Sanjiv and the complainant allegedly sustained injuries. Atul inflicted brick bat blows to Dinesh Mandal. The injury on the person of Suraj was found to be attracting offence under Section 308 IPC. The said injury was inflicted by co-accused Atul.

Learned counsel further submitted that other co-accused namely Majid @ Majid Ali and Puneet Sharma have already been granted regular bail by this Court in CRM-M No.4710 of 2018 on 12.02.2018 and CRM-M No.2765 of 2018 on 29.01.2018 respectively.

Learned State counsel on instructions from ASI Devinder Singh however opposed the prayer made by petitioner for the grant of regular bail.

At this stage, complicity of the petitioner viz-a-viz. injuries on the person of the complainant would be debatable. Petitioner is in custody since 20.12.2017.

In view of above, without adverting to the merits of the

case, I deem it appropriate to grant concession of regular bail to the petitioner.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Chandigarh.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 12, 2018

*Atik*

**(RAJ MOHAN SINGH)  
JUDGE**

Whether speaking/reasoned      Yes/No

Whether reportable      Yes/No