

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

**Criminal Misc. No. M-20784 of 2018 (O&M)  
Date of decision: 14.01.2019**

**Vikas Chhabra @ Mehandi**

**..Petitioner**

**Versus**

**State of Punjab**

**..Respondent**

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

**Present:** Mr. Navjinder S. Sidhu, Advocate,  
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab  
for the respondent-State.

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**Daya Chaudhary, J. (Oral)**

**Criminal Misc. No.33582 of 2018**

This application has become infructuous as the main case is fixed for hearing today itself.

Dismissed as having become infructuous.

**Criminal Misc. No. M-20784 of 2018**

The present petition has been filed by petitioner-Vikas Chhabra @ Mehandi under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.36 dated 17.02.2017 registered under Sections 379-B, 323, 341, 506, 384, 148 and 149 IPC at Police Station Division No.1, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. He has been implicated with some ulterior motive on the part of the complainant.

Learned counsel further submits that the injuries suffered by the

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complainant are simple and blunt in nature as per opinion of the doctor. Even no injury was there on the person of the complainant, which has been attributed to the petitioner. The petitioner is in custody since 05.12.2017 and his co-accused against whom the same allegations are there, namely, Rajinder Singh @ Lovely, Mohinder Singh @ Fauji have been released on bail by the trial Court and co-accused, namely, Sandeep Jassal @ Kali has been released on regular bail by this Court vide order dated 08.12.2017.

Custody certificate dated 14.01.2019 has been filed in the Court today and the same is taken on record.

Learned State counsel has not disputed the custody period and release of co-accused on regular bail but has opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In the custody certificate, a number of cases have been reflected to be pending against the petitioner but the petitioner has been released on bail in three cases, he has been acquitted in three cases, discharged in two cases and only in two cases, he is not on bail i.e. in the present case and one more case where the offence is bailable.

In view of the submissions made by learned counsel for the petitioner that the petitioner is in custody since 05.12.2017; similarly situated co-accused have been released on regular bail, the present petition is allowed and the petitioner (Vikas Chhabra @ Mehandi) is directed to be

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released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

However, it is made clear that in case the petitioner is found to be involved in any other case of similar nature, the State is at liberty to move an application for cancellation of bail

14.01.2019  
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(DAYA CHAUDHARY)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | No  |