

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24022-2019

Date of decision: 05.07.2019

Lalit Kumar and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikas Gupta, Advocate and
Mr. Amit Arora, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.26 dated 31.01.2018 under Sections 307, 452, 323, 427, 379-B, 148, 149, 506, 201, 120-B IPC, registered at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioners relies upon the order dated 04.07.2018 passed in CRM-M-22119-2018, wherein, while granting regular bail to co-accused Amrik Singh @ Sonu, following order was passed: -

“.....It is a case of the prosecution that there was a dispute with regard to money transaction. On 31.01.2018, at about 7:00 p.m., complainant was present at his shop where Sonu alongwith Sahil Puchi, Lalit Kumar and Munish Kumar accompanied by 10-12 persons armed with deadly weapons came there. Sahil Puchi with an intention to kill the complainant inflicted a dattar blow from reverse side hitting his head. Then Lalit Kumar, Munish and Sonu threw the complainant down after pulling from his hair.

The petitioner was arrested on 08.03.2018. The final report under Section 173 Cr.P.C. has already been submitted. No specific injury has been attributed to the petitioner. Only it is alleged that he pushed down the complainant.”

Learned counsel for the petitioners has referred to the FIR, wherein similar allegations are levelled against the petitioners that they along with Sonu had pushed down the complainant and co-accused Sahil Puchi had given a datar blow from the reverse side hitting his head.

Learned State counsel has filed the reply by way of affidavit of ASI Vinod Kumar, Investigating Officer, in the Court today, in which it is stated that the petitioner is involved in some other cases, however, in one case, the matter has been compromised. In para No.6 of this affidavit, it is stated by the Investigating Officer that two co-accused namely Jobanpreet Singh and Arjun Singh, who were declared juvenile, were acquitted by the Juvenile Justice Board, as the prosecution witnesses did not support the version.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.07.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No