

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25759-2019 (O&M)
Date of Decision:-4.7.2019

Vikram Singh @ Bikram Singh @ Vicky ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.151 dated 25.11.2018 registered at Police Station Jalandhar Cantt. Police Commissionerate Jalandhar under Sections 307, 326, 324, 341, 201 and 34 of Indian Penal Code.

The FIR was registered at the instance of Kaushal Pal, wherein it has been alleged that on the day of occurrence, when the complainant, who is a financier, and his partner Sunny were going on foot, then the petitioner alongwith his brother Sanjeev Kumar Sanju attacked him. It is alleged that while the petitioner caught hold the complainant, the co-accused i.e. Sanjeev Kumar Sanju, who was carrying a knife, gave a blows with the same to the complainant on his chest and shoulder.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the falsity would be evident from the fact that the complainant was never got medically examined in any government hospital and that it is only medical certificate issued by some private hospital on which the prosecution is relying. It has further been submitted that, in any case, even as per the FIR it is not the petitioner who has caused any injury and in these circumstances the petitioner deserves the concession of bail.

Opposing the petition the learned State counsel has submitted that it is a case where both the accused are real brothers and the petitioner had played a vital role inasmuch as he had facilitated the causing of injuries by the co-accused by having held the complainant. The learned State counsel has further informed that as per the MLR, two incised wounds were found on the chest of the complainant and one incised wound was found on the shoulder of the complainant, out of which one of the injury on the chest has been declared as a 'grievous injury'. It has, however, been informed that the petitioner has been behind bars since the last about five months and that the charges are yet to be framed although challan has been presented.

Having considered rival submissions addressed before this court and while noticing that the petitioner is not attributed any injury and was infact not even carrying any weapon and has been behind bars since the last about five months, in my opinion, it is a fit case for grant of bail to the petitioner. The petition, as such, is accepted and the petitioner Vikram Singh @ Bikram Singh @ Vicky is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands accepted accordingly.

4.7.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No