

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27333-2019

Date of decision: 05.07.2019

Sanjay Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gaurav Grover, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.57 dated 29.05.2019 under Sections 452, 323, 148, 149 IPC, registered at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, father of the petitioner is running a shop. He was present on the shop along with his servant Ajay Kumar when Sunil @ Sonu, Rahul son of Jarnail Singh, Aman, Rahul son of Dharminder Singh, Goru and petitioner Sanjay, carrying sticks in their hands, entered the shop. Sunil @ Sonu raised lalkara to teach them a lesson for taking money from him, Sandeep gave a stick blow, which hit on his nose, when Ajay Kumar came to his rescue, Sunil @ Sonu gave a stick blow, which hit on the finger of his right hand. Accused Goru gave a dang blow on his right elbow, while Rahul son of Jarnail Singh gave stick

blow on the back of Ajay Kumar. Petitioner Sanjay, Aman and Rahul son of Dharminder Singh were saying to give them beatings and teach a lesson. It is further submitted that the petitioner is in judicial custody since 29.05.2019 and only allegation against him is that he was present at the spot, however, no injury is attributed to him. Learned counsel further submits that except Section 452 IPC, other offences are bailable.

Learned State counsel, on instructions from SI Satnam Singh, has not disputed the factual position and submits that the case is still at the stage of recording the prosecution evidence and three accused persons have been arrested.

Without commenting anything on merits of the case, considering the role of the petitioner, 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/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.07.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No