

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-28778 of 2019
Date of Decision: July 15, 2019

Rohit @ Rohit Kumar

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Saajan Singla, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off first regular bail application under Section 439 Cr.P.C. moved in FIR No. 55 dated 27.05.2018 under Sections 307, 323, 324, 354, 148, 149 and 201 IPC, Police Station Doroha, District Ludhiana.

The precise allegations levelled against the petitioner are

that on 26.05.2018 around 08.30 p.m., accused, namely, Panna, Kartoos, Jyoti, Shankar and Rajan armed with kirpans, Ravi armed with danda and Laddi armed with saria attacked the complainant Didar Singh and his family. It is alleged that accused Kartoos gave a kirpan blow on the left hand finger of the complainant, accused Rajan gave a blow with kirpan on the head of Simranjit Singh while accused Ravi gave a danda blow hitting on the head of Dilbagh Singh. Injured Chamkila was given a blow of saria by accused Laddi and Jaswinder Singh, brother of complainant received a kirpan blow by accused Jyoti hitting upon the left arm and wrist whereas accused Panna and Gurdeep Singh @ Kali only torn off the clothes of Kulwinder Kaur leading to registration of the present case and arrest of the petitioner on 16.02.2019.

Mr. Saajan Singla, counsel for the petitioner contends that the petitioner is not named in the FIR and, subsequently, after a delay of more than 24 hours, he has been named in the supplementary statement/application and no role is attributed to him and he is in custody for more than 5 months.

Mr. Harbir Sandhu, AAG, Punjab assisted by ASI Madan Singh though accepts the facts that have been canvassed by the learned counsel for the petitioner but has opposed the grant of the relief.

Going through the submissions, similarly placed co-

accused/non-applicant Shankar Dass has been allowed regular bail by this Court vide order dated 14.05.2019. The case of the petitioner is not distinguishable to that of the co-accused Shankar Dass and is rather on better footing.

Keeping in view the period of incarceration and the fact that no useful purpose will be served by keeping the petitioner behind the bars and the trial is not likely to be concluded in the near future, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

July 15, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No