

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

CRM-M-4486-2020 (O&M)

Date of Decision:- 6.2.2020

Inderjeet

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. N.S.Sidhu, Advocate, for the petitioner.

Mr. Parveen Chauhan, Advocate for  
Mr. Gagandeep Singh Wasu, APP, U.T. Chandigarh,  
assisted by SI Baljeet Singh.

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.187, dated 22.10.2019, Police Station Maulijagran, District Chandigarh, under Sections 365, 307, 342, 506, 147, 148, 149 IPC and Section 25 of Arms Act.
2. The FIR in question was lodged at the instance of Rajat wherein it has been alleged that on 21.10.2019 he had gone to meet his uncle at Mauli Jagran Complex. At about 10.30 pm. when he was returning back to his home at Maloya, he met Constable Ajay and at that time some boys of Rajiv Colony, Panchkula, namely Labbal and Vikcy accompanied by 2-3 of their friends came there and started hurling abuses while stating that the complainant was an agent of the police and had come there for the purpose of spying. Ajay reasoned out

with them and thereafter left in his car. However, Labbal and his companions kidnapped the complainant and gave beatings to him and took him to a room in Rajiv Colony, Panchkula, where they gave kick blows and punches to him and also gave beatings to him with a stick. The complainant was tied with a rope and the accused initially left the room but came back and at that time he saw that Labbal was carrying a country made pistol and he loaded the said pistol and pointed the same towards the mouth of the complainant and pressed the trigger but luckily the pistol did not fire and thereafter the accused again gave beatings to him and kept him confined there and later left after locking the room from outside.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and is not named in the FIR. It has further been submitted that the petitioner in any case is a juvenile having been born on 12.12.2002. Learned counsel in this regard has drawn the attention of this Court to a school leaving certificate annexed as Annexure P-2 wherein his Date of Birth is recorded as 12.12.2002.
4. Opposing the petition, learned State counsel has submitted that although the petitioner was initially not named in the FIR but subsequently the complainant came across him at Mauli Jagran Complex where he identified him and the petitioner was apprehended at the spot who disclosed his name as Inderjeet Singh. Learned State counsel has further submitted that the petitioner is not a juvenile as his year of birth as recorded in Aadhaar Card is 2000 whereas the

occurrence had taken place in October, 2019. It has however, been submitted that the petitioner is not involved in any other case.

5. I have considered rival submissions addressed before this Court. Keeping view the fact that the petitioner is not named in the FIR and that all the injuries as sustained by the complainant are in the nature of lacerations and contusions and are simple injuries and while also noticing that the petitioner has been behind bars since the last more than 3 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**February 6, 2020**

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**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No