

1.

CRM-M-12918-2020

Date of decision: 05.06.2020

Lucky Sharma

....Petitioner

versus

State of Punjab

....Respondent

2.

CRM-M-13004-2020

Rajeshwar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Sahil Puri, Advocate
for the petitioner (in CRM-M-12918-2020).Mr. Mohinder Kumar, Advocate
for the petitioner in (in CRM-M-13004-2020).Mr. Sandeep Vermani, Addl.A.G., Punjab
assisted by the investigating officer, Jasbir Chand.**FATEH DEEP SINGH, J.(ORAL)**

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

These are two regular bail applications, one filed by Lucky Sharma and the another one filed by Rajeshwar, having arisen in the

same FIR bearing No.28 dated 06.02.2020 under Sections 326, 323, 324, 341, 148 and 149 of the Indian Penal Code registered at Police Station Rama Mandi District Jalandhar, are being taken up and disposed off together.

The present case has been got registered on the statement of Arshdeep Singh, alleging that on 30.01.2020, in the evening time, when he had gone to salon and on the way accused, Naresh, empty handed, Tony and Badaana armed with *kandas*, all non-applicants, along with co-accused, present petitioner-Lucky Sharma, empty handed and Rajeshwar armed with *kanda*, assaulted the complainant. The accused have been attributed in all total seven injuries, out of which, six have been declared grievous which are all on the legs and one a simple one.

Learned counsel for the petitioners have argued that accused/petitioner-Lucky Sharma is in custody, since, almost 03 months and 29 days and accused/petitioner-Rajeshwar, is in custody since, 02 months and 19 days and the injuries attributed to accused/petitioner-Rajeshwar is on the left leg, which is grievous and no role is attributed to the accused/petitioner-Lucky Sharma to whom, only attribution is that he has caught hold and given kick blows to the complainant and the trial is not likely to be accomplished in the near future.

The learned State counsel has strongly opposed the grant of bail on the grounds that in all, seven injuries have been

caused by the petitioners, who were armed with deadly weapons and that except petitioners, other accused have absconded and are yet to be arrested.

Going through the submissions, admittedly, no injury is attributed to accused/petitioner-Lucky Sharma by any weapon and only kick blows have been alleged to have given by this petitioner. The lone injury attributed to the petitioner is by means of *kanda* blow on the left leg, a non-vital part. Keeping in view the period of incarceration of both these petitioners and the fact that the trial is not likely to be concluded in the near future.

This Court is of the opinion that no useful purpose will be served by keeping the petitioners in custody in the present case. Accordingly, they are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petitions stand disposed off accordingly.

05.06.2020

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No