

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-22977-2020 (O&M)

Date of decision: 21.8.2020

Akash Choudhary

... Petitioner (s)

Versus

State of Punjab

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Harsh Chopra, Advocate,
for the petitioner.

Mr. L.S. Sofat, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing in view of
COVID-19 Pandemic.

The present petition has been filed under Section 439 Code of
Criminal Procedure for grant of regular bail to the petitioner in case FIR
No.102 dated 23.10.2019 registered for the offences punishable under
Sections 323, 308, 506, 148, 149 of Indian Penal Code (for short, "IPC") at
Police Station Cantt. Jalandhar.

In this case, FIR was registered on the basis of statement of
Rahul in which he alleged that on 22.10.2019 at about 9.20 p.m., he came
back from the market and his brother Lakhan was playing on mobile phone
with his children while standing in front of the house. In the meantime, six
persons on three motor cycles came there. One motorcycle was driven by

Dugu. All of them were armed with base ball bats and they demanded mobile phone from Lakhan. On his refusal, Dushal alias Dugu gave base bat blow on his head and Rahul alias Kali also inflicted base bat blow on the head of Lakhan. Their companions also inflicted injuries by means of base ball bats.

The petitioner has not been named in the FIR. Even no specific injury has been attributed to him. Main accused namely Dushal alias Dugu and Rahul alias Kali who were named in the FIR have already been granted regular bail, as per assertions made by the counsel for the petitioner. Copy of the bail order of Dushal alias Dugu dated 22.7.2020 has been placed on the file. Copy of bail order of co-accused Akash Choudhary who was also not named in the FIR, is also placed on the record. Same is dated 30.5.2020. The petitioner was arrested in this case on 22.2.2020 and the challan has already been presented.

Learned State counsel has not disputed the aforesaid factual aspects of the matter.

In view of the above, I am of the view that no fruitful purpose will be served by keeping the petitioner in custody for any longer period. Thus, without commenting on the merits of the case, this petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

(KARAMJIT SINGH)
JUDGE

August 21, 2020

Paritosh Kumar

PARITOSH KUMAR
2020.08.21 16:09
I attest to the accuracy and
authenticity of this document

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No