

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

**203**

**CRM-M No.52590 of 2019  
Date of decision:1.5.2020**

**Sunny**

**.....Petitioner**

**Vs**

**State of Punjab**

**.....Respondent**

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Mr.Nikhil Kumar Vashisht, Advocate  
for the petitioner.

Ms. Bhawna Gupta, DAG, Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through video-conferencing.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No.191 dated 14.7.2019 registered under Sections 307, 325, 323, 341, 506, 148, 149 at Police Station Sadar Dhuri District Sangrur.

FIR was registered at the instance of Satnam Singh @ Kaka, who alleged that when he was talking to his friend at about 4.00 pm on 13.7.2019, accused Sultan Singh, Ramesh @ Kaka, Sanju, Sunny and Mitha came there in a car from Dhuri side. 4-5 persons also came there on two motorcycles. The occupants of the car were armed with iron rods and

baseballs. Motorcyclists were also armed with rods and lathis. All of sudden they came down from their vehicles. Mitha drove the car and attacked the complainant. The complainant fell down. When the complainant tried to run, then Sanju exhorted that he should not be allowed to go. He inflicted iron rod blow at the back of head of the complainant with an intention to kill him. Ramesh @ Kaka and Sunny encircled the complainant and Mitha gave a baseball blow on his left leg. Left leg of the complainant was broken. Then Sultan gave a rod blow on the knee of left leg and on right leg of the complainant. Kaka, Sunny and unknown persons also inflicted injuries with baseballs.

As per medico legal report, 7 injuries were found on the person of the injured complainant. Injuries No.1, 3, 4, 5 and 6 have been found to be grievous in nature. Injury No.5 is a lacerated wound about 7cm x 0.5cm over left parieto occipital area of scalp, which according to learned State counsel is an injury falling under mischief of Section 307 IPC. No specific injury has been attributed to the petitioner except to say that he along with Ramesh @ Kaka and other unknown persons inflicted injuries with baseballs. No opinion has been obtained so far in respect of injuries No.2 and 7, which are complaint of pain on left arm below elbow joint and complaint of pain on right

coastal area, lateral side. Injury No.5 is attributed to Sanju. Petitioner is in custody since 14.7.2019.

Learned State counsel, on instructions, states that after filing of the challan charges have been framed, but no prosecution witness has been examined so far. There are 24 prosecution witnesses in total.

In view of aforesaid position, it can be seen that the petitioner is an author of some grievous injury at the most which can only be spelt out on the basis of nature of evidence to be produced by the prosecution during trial.

At this stage, keeping in view the fact that the petitioner is in custody since 14.7.2019 and the trial having not commenced so far, I deem it appropriate to grant regular bail to the petitioner.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/ Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

**June 01, 2020**

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**Whether reasoned/speaking****(RAJ MOHAN SINGH)  
JUDGE****Yes/No**