

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

208

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IN VIRTUAL COURT

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**CRM-M No. 53375 of 2019
Decided on: 2.9.2020**

Sunny Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Parvinder Singh, Advocate, for the petitioner

Mr. APS Gill, DAG, Punjab

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 of the Cr.P.C. for grant of bail pending trial in case FIR No. 187 dated 15.9.2019, registered under Sections 323, 324, 341, 148, 149, 506 and 326 IPC (Section 307 IPC added later on), at Police Station Goraya, Tehsil Phillaur, District Jalandhar.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted. In the first instance, the case was registered by involving the highest offence under Section 326 IPC. However, subsequently, the offence under Section 307 IPC has been added in the case. Even the attribution to the petitioner is a *datar* blow to the complainant; which is not by any defined weapon as such. Still further, it is submitted by the counsel for the petitioner that the petitioner is in custody since 15.9.2019.

There is no other case against the petitioner.

On the other hand, learned State counsel, being instructed by ASI Gurnam Singh, has submitted that the petitioner has been attributed the injury inviting Section 307 IPC. However, it is not disputed that the injury is allegedly caused only by a *datar*; and there is no other case against the petitioner. It is also not disputed that the petitioner is in custody since 15.9.2019.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

2.9.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No