

**213 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-12065-2021
Date of Decision: 26th November, 2021**

Ranjit Singh @ Pappu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Kewal Singh, Advocate for the petitioner.
Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent-State.
Mr. Vivek K. Thakur, Advocate for the complainant.

AVNEESH JHINGAN, J.(Oral)

1. The petitioner is before this Court under Section 439 Cr.P.c. seeking regular bail in FIR No. 43, dated 18th June, 2020, under Sections 307, 326, 323, 324, 341, 148, 149 and 379 of Indian Penal Code, 1860, registered at Police Station Bholath, District Kapurthala. The prayer was declined by the Additional Sessions Judge, Kapurthala vide order dated 29th January, 2021.

2. An incident occurred on 17th June, 2020 for which FIR was got registered by Manjinder Pal Singh. As per the allegations the complainant's car was stopped, he was attacked by Rajwinder Singh @ Kaku, Ranjit Singh @ Pappu (petitioner) and five other unknown persons. Rajwinder Singh and petitioner were armed with sword. As per the role attributed to the petitioner he gave a sword blow on the right leg of the complainant near the knee. As per the allegations the accused fled away with Rs.1,50,000/-, car and one mobile phone.

3. Learned counsel for the petitioner submits that petitioner is in custody for more than one year and one month and the injury attributed to complainant is on non-vital part. The weapon used in the incident was recovered, no further recovery is to be made.

4. Learned State counsel opposes the prayer for grant of regular bail. He submits that only two witnesses have been examined, petitioner is habitual offender as he is involved in another FIR.

5. Though complainant has not been impleaded as party Mr. Vivek K. Thakur, Advocate puts in appearance on behalf of the complainant and vehemently opposes the prayer for bail.

6. Involvement of petitioner in another FIR would not in itself be a ground to deprive his personal liberty. Injury attributed to the complainant is on non vital part, the custody period of the petitioner is of one year one month and five days, investigation is complete, conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

26th November, 2021

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No