

218 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-26619-2021

DATE OF DECISION: 26th JULY, 2021

ARUN KUMAR @ SHANTY

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Munish Puri, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is a petition under Section 439 of Cr.P.C. seeking regular bail in FIR No. 131, dated 7th December, 2020, under Sections 307, 324, 323, 341, 148, 149 and 506 IPC (Section 326 IPC added later on), registered at Police Station Taragarh, District Pathankot.

[3] The FIR was at the instance of Samnit. As per the allegations on 3rd December, 2020, the complainant alongwith Kavi Raj was going towards Village Alikhan. On the way Vikash Kumar @ Petha, Arun Kumar (Petitioner), Rajan Salaria @ Raja and Surinder Singh @ Laat armed with datar were standing at Jaman chowk. The complainant and his associate were attacked. The petitioner is attributed a datar blow inflicting injury below the left elbow of the complainant.

[4] Learned counsel for the petitioner submits that petitioner is in custody since 19th May, 2021. He further submits that datar stands

recovered and the injury is on the non-vital part.

[5] Ms. Monika Jalota, Deputy Advocate General, Punjab, opposes the prayer for grant of regular bail. She relied upon the pleadings of the reply filed. She, on instructions from SI Satbir Singh submits that petitioner is involved in another FIR No. 18, dated 22nd March, 2020, under Sections 323, 341, 427 and 452 IPC registered at Police Station Taragarh, Pathankot.

[6] Without commenting upon the merits of the case and considering that the injury attributed to the petitioner is on non-vital part, the datar stands recovered, the investigation is complete and conclusion of trial is likely to take time. The petitioner is granted bail. The bail would be subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[7] The petition is allowed.

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

[AVNEESH JHINGAN]
JUDGE

26th JULY, 2021.

sham

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes