

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-27743-2021 (O&M)**

Rajesh Kumar ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-27801-2021 (O&M)

Charandass & another ...Petitioners

Versus

State of Punjab ...Respondent

Date of Decision: 04.10.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Digvijay Nagpal, Advocate,
for the petitioner(s).Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Harbans Singh.**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of the aforesaid two petitions i.e. CRM-M-27743-2021 filed on behalf of Rajesh Kumar and CRM-M-27801-2021 filed on behalf of Charandass & Josam, seeking grant of regular bail in respect of a case registered against them vide FIR No.0099 dated 25.05.2021 at Police Station City Malout, District Sri Muktsar Sahib, under Sections 452/365/342/295/323/148/149 IPC.
2. The FIR in question was lodged at the instance of Sunny, wherein it is alleged that on 24.05.2021 at about 11.30 AM, while he was

alone in his house, a girl namely Priyanka daughter of Surinder Kumar came to their house and asked him why he was not talking to her to which he replied that he does not want to talk to her and asked her to go back to her house. It is alleged that in the meantime father of the girl, namely, Surinder Kumar, uncles namely Kamal and Gulshan, grand-father Charandass, mother Sunita, grand-mother Sumitra, Krishna, Josam armed with stick and Mukesh came there and immediately upon their arrival, they started beating the complainant with fists on account of which he sustained multiple injuries all over his body. It is further alleged that after giving beatings, the accused forcibly took him to the house of Priyanka, where grand-father of Priyanka namely Charandass brought urine in a glass and forcibly poured the same in complainant's mouth. It is alleged that thereafter the accused took the complainant to a vacant plot adjacent to their house and again gave beatings. It is alleged that Priyanka's uncle Josam gave stick blows on complainant's legs and knees. Priyanka's father Surinder Kumar kicked on the back of the complainant. It is also alleged that Priyanka's uncle namely Rakesh Kumar took a razor in his hand and cut complainant's hair with the said razor.

3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the instant case and that in any case even if the allegations as leveled in the FIR are taken to be correct, still it is a case of inflicting simple injuries only. It has also been submitted that the petitioners, in any case, have been behind bars

since the last about 4 months and that challan already stands presented.

4. Opposing the petition, learned State counsel has submitted that since serious allegations have been leveled against the petitioners, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners have been behind bars since the last about 4 months and that they are not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and while also noticing that challan already stands presented and the fact that the petitioners have been behind bars since the last about 4 months and are not stated to be involved in any other case, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time as even the charges have not been framed yet. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

04.10.2021
Vimal

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