

234+236

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

**Date of Decision: 08.10.2021
CRM-M-25298-2021**

1.

Rajesh Kumar

Petitioner

Versus

State of Punjab

Respondent

2.

CRM-M-34677-2021

Anil Kumar

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P.S. Sekhon, Advocate for the petitioner(s).

Mr. Bhupender Beniwal, A.A.G., Punjab.

AVNEESH JHINGAN, J (Oral):

[1] These two petitions are filed by the petitioners seeking regular bail under Section 439 Cr.P.C. in case F.I.R. No. 251, dated 13th October, 2020, under Sections 363, 364, 323 and 34 IPC and Sections 307, 325 and 341 IPC added later on, registered at Police Station Sardulgarh, District Mansa.

[2] The brief facts are that the FIR was registered at the instance of Inderpal. As per the contents of the FIR on 13.10.2020, complainant, his son and his cousin Sultan were coming on a tractor. On their way, near the Ice factory, occupants of the Bolero vehicle stopped the tractor, abducted the complainant's son and gave him beatings. The motive behind the incident was some previous enmity between Rohit and Rajesh.

[3] Learned counsel for the petitioner(s) submits that the custody of the petitioners is more than ten months. Investigation is complete, no recovery is to be made. The injuries attributed are on non-vital parts. Except two injuries, rest have been declared as simple injuries.

[4] Learned State counsel opposes the prayer for grant of bail and submits that there are total 11 injuries sustained by the son of the complainant, one on the wrist and the other on the leg have been declared grievous.

[5] Though not impleaded as party, Mr. Bikramjeet Singh Bajwa, Advocate appears on behalf of the complainant and raises no serious objections. He submits that there are talks of compromise are going on.

[5] The investigation in the case is complete; no recovery is to be made from the petitioner; conclusion of trial is likely to take time and petitioners have no criminal antecedents. No useful purpose would be served by depriving the personal liberty of the petitioners. The petitioners are granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[6] The petitions are allowed.

[7] Since main case has been allowed, the pending applications renders infructuous.

[8] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[9] A photocopy of this order be placed on the file of connected case.

**[AVNEESH JHINGAN]
JUDGE**

8rd October, 2021
ps-I

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No