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

**CRM-M No.37823 of 2020
Date of Decision: 21.01.2021**

ANKUSH KUMAR @ CHARRY

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.110 dated 09.07.2020, registered under Sections 324/326/506 IPC at Police Station Jamalpur, Ludhiana.

As per allegations, the FIR was registered on the statement of Preeti, wherein she alleged that she was living as a tenant in the house of Jaspal Singh @ Rana. Her marriage was solemnized with Sahil Kumar about five years back. Two

children took birth out of this wedlock. Khushi is aged about 4 years and Sona is aged about 1½ years. Her husband is an auto-rickshaw driver. On 08.07.2020 at about 10.00/11.00 P.M., the family members of the complainant were having dinner. The petitioner is also residing in the adjoining room along with his family. He came to the house of the complainant duly armed with *datar* and started abusing the husband of the complainant. He gave a *datar* blow on the thumb of left hand of the complainant and his thumb was chopped off.

In addition to the aforesaid, petitioner gave injuries on the left arm, chest, thumb of right hand and on the head of husband of the complainant with his *datar* and the husband of the complainant fell down. On raising alarm, the petitioner fled away from the spot along with his *datar*. The injuries on the person of husband of the complainant were found to be covered under Sections 324 and 326 IPC. The FIR was registered for the offence under Sections 324/326/506 IPC. Petitioner was arrested on 20.07.2020 and since then he is in custody.

Learned counsel for the petitioner submitted that challan has been presented. During course of the investigation, both the parties have compromised the issue. The petitioner has incurred the amount towards treatment and other allied expenditure to the satisfaction of the complainant and the

complainant has executed an affidavit dated 18.01.2021 to this effect.

On the other hand, learned State counsel submitted that challan has been presented, but charges have not been framed. Petitioner is in custody since 20.07.2020.

Admittedly, the offence is triable by the Magistrate.

At this stage, keeping in view the aforesaid facts and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 21, 2021

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No