

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-39125-2020 (O&M)**

Haritik Thakur @ Dimpy ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-43287-2020 (O&M)

Mohit Thakur ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 29.11.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Aayush Gupta, Advocate, for the petitioner
in CRM-M-39125-2020.Mr. Navkiran Singh, Advocate, for the petitioner
in CRM-M-43287-2020.Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Sukhwinder Singh.**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of the aforesaid two petitions i.e. CRM-M-39125-2020 and CRM-M-43287-2020 filed on behalf of Haritik Thakur @ Dimpy and Mohit Thakur respectively, seeking grant of regular bail in respect of a case registered against them vide FIR No.0130 dated 12.10.2020 at Police Station Meharban, District Police Commissionerate Ludhiana, under Sections 307/379/341/323/324/506/148/149 IPC.

2. The FIR in question was lodged at the instance of Arun Kumar, wherein it is alleged that he is into the real estate business and had carved out a colony under the name of 'Dream City', Village Noorwala. It is alleged that on 11.10.2020 at about 5.00 PM, while he was standing on a road in his colony, then 2 boys came on a motor-cycle at a very high speed and to whom the complainant signaled to slow down. It is alleged that the said 2 motor-cycle riders stopped their motor-cycle at some distance and came back and challenged the complainant as to who was he to stop them and that he will be taught a lesson. Thereafter, the said boys left from the spot. However, at about 5.30 PM, Mohit armed with a *daat*; Haritik carrying a *toka*; Ankur @ Anku carrying a *kirch*; Pankaj holding a *slaggar*; Mannu having an iron rod; Dimpy having an iron rod and Gulshan carrying a *slaggar* along with two women came there. It is alleged that while Mohit gave a blow with *daat* hitting on the right side of the complainant's head, Haritik gave a blow with *toka* on the back side of complainant's head.
3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the instant case and in fact it is a case where even the petitioner - Haritik had sustained as many as 3 injuries including one injury on his head regarding which no explanation is forthcoming.
4. Opposing the petition, learned State counsel has submitted that since the petitioners are specifically named in the FIR and are attributed specific injuries and even the MLR substantiates the allegations inasmuch as 5 injuries were found on the person of the

complainant, no case for grant of bail is made out. Learned State counsel has, however, informed that both the petitioners have been behind bars since the last about 1 year, 1 month & 15 days and that they are not involved in any other case. It has also been informed that as on date only 1 PW out of cited 13 PWs has been examined.

6. I have considered rival submissions addressed before this Court.
7. It is not disputed that specific allegations have been leveled against the petitioners, who are attributed injuries on the head of the complainant. However, this Court cannot lose sight of the fact that the petitioners have been behind bars for a substantial period of about 1 year and 1 month and only 1 PW out of cited 13 PWs has been examined so far. The petitioners are not even stated to be involved in any other case previously. In these circumstances, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. 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.
8. A photocopy of this order be placed on the connected files.

(GURVINDER SINGH GILL)
JUDGE

29.11.2021

Vimal

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