

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

**CRM-M-3499 of 2022
Date of Decision:- 06.04.2022**

Mersi @ Sonu

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Satinderpal Singh Dhaliwal,
Advocate for the petitioner.

Ms. Shamina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioner in case having FIR No.184 dated 10.11.2021 registered under Sections 323, 324, 326, 452, 506, 34 of IPC, Police Station Sadar, Jalandhar, District Jalandhar.

The counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. The counsel further contended that only simple injury has been attributed to the petitioner who is in custody for the last about 3 months. The counsel made prayer that petitioner be released on regular bail.

The present petition is contested by the State counsel who filed short reply on behalf of the State by way of affidavit of Ravinder Singh, Assistant Commissioner of Police, Sub Division-V, Cantonment Jalandhar. The State Counsel submitted that little finger of right hand of complainant was chopped off with the sharp edged weapon at the time of occurrence and as such, provisions of Section 326 IPC are attracted in the present case.

I have considered the submissions made by the counsel for the parties. As per the allegations in the FIR, petitioner along with Raman and Arun trespassed into the house of complainant Rakesh and then the petitioner exhorted Raman and Arun to teach lesson to the complainant and then Raman gave blow of Khanda which hit on the fingers of right hand of complainant, as a result of which his little finger was cut. Raman gave another khanda blow which hit on the ring finger of right hand of complainant, while Arun gave sword blow on the left thigh of complainant, while the petitioner gave danda blow, which hit on the waist of complainant and she also gave danda blow on right shoulder of Akash son of complainant.

Only simple injury has been attributed to the petitioner who is in custody for the last more than two months and 24 days. Even the other two accused have been arrested and on completion of investigation challan has been presented in the court concerned, however, it will take time for the conclusion of trial. So no purpose is

going to be served by keeping the petitioner in custody for any longer period.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is hereby ordered to be released on regular bail subject to furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned during the pendency of the trial.

06.04.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No