

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

(THROUGH VIDEO CONFERENCING)

CRM-M-10286-2022 (O&M)

Date of Decision: 15.3.2022

Anil Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. S.S.Deol, DAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case DDR No.No.31 dated 26.9.2019 registered for the offences punishable under Sections 307, 326, 323, 324, 148, 149 IPC in case FIR No.142 dated 19.7.2018 registered under Sections 458, 324, 506, 148, 149 IPC at Police Station City Sunam, District Sangrur.

Counsel for the petitioner contended that no specific injury has been attributed to the petitioner who is in custody since 13.1.2022. It is further contended that main accused-Lakhwinder Singh @ Lakhi Pathar has already been granted regular bail by Coordinate Bench of this Court vide order dated 14.1.2021 (Annexure P-3).

Present petition is opposed by the counsel for the State who submitted that the investigation in the present case is still going on and that there are serious allegations appearing on record against the petitioner.

parties.

Present case is of version and cross-version. FIR No.142 dated 19.7.2018 under Sections 458, 324, 506, 148, 149 IPC was registered at the instance of Lakhwinder Singh @ Lakhi Pathar against the opposite party, as per which, the opposite party attacked Lakhwinder Singh @ Lakhi Pathar and other persons. As per cross version having DDR No.31 dated 26.9.2019 under Sections 326, 324, 323, 148, 149 IPC (offence under Section 307 IPC added later on), Lakhwinder Singh alias Lakhi armed with Gandasa, Balli Halwai armed with kirpan, Ravi armed with rod and the petitioner armed with rod attacked Sandeep Singh @ Bittu and at that time, Lakhwinder Singh @ Lakhi Pathar gave gandasa blow on the head of Sandeep Singh @ Bittu with its reverse side, Balli Halwai gave kirpan blow on the left side of the abdomen of Sandeep Singh @ Bittu and when he fell down, petitioner, Ravi and Ganesh gave beatings to him. There are also allegations that the present petitioner also raised *lalkara* exhorting the other accused to beat Sandeep Singh @ Bittu.

The present petitioner was arrested on 13.1.2022 and presently, he is lodged in judicial custody. No specific injury has been attributed to the petitioner. The main injury on the head of Sandeep Singh @ Bittu was ascribed to Lakhwinder Singh @ Lakhi pathar who has already been granted regular bail by this Court vide order Annexure P-4. It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the

satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 15, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No