

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

Decided on: 15th July, 2022

214

CRM-M-2343-2022

Ajay Singh

Petitioner

Versus

State of Punjab

Respondent

CRM-M-14134-2022

Sourabh Singh @ Vaneet @ Binnu

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajeev Joshi, Advocate and
Mr. S.K. Gupta, Advocate for the petitioner(s).

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Randeep Tanwar, Advocate for
Mr. P.K. Dwivedi, Advocate
for the complainant.

AVNEESH JHINGAN, J (Oral):

These petitions are filed under Section 439 of the Code of Criminal Procedure seeking regular bail in FIR No.107 dated 02.08.2021 under Sections 307/452/148/149/506 IPC registered at Police Station Naya Gaon, District SAS Nagar.

Brief facts are that the complainant and the accused are neighbours. The bone of contention for the incident that occurred on 1.8.2021 was installing of electricity wire in house of complainant. There

was an altercation as the accused along with unknown accomplices entered the house of the complainant and caused injuries to the complainant, his son and wife. As per the allegations, the injuries were inflicted with stick and wooden log. On raising hue and cry, accused fled away from the spot.

Learned counsel for the petitioners submits that the petitioners are in custody since 3.8.2021, investigation is complete, challan stands presented and no further recovery is to be made and the petitioners have no criminal antecedents.

Learned counsel for the petitioners rely upon the fact that the co- accused Rajender was granted regular bail by this Court vide order dated 14.1.2022. It is argued that the complainant party was aggressor, the petitioner Sourabh Singh @ Vaneet @ Binnu also sustained injuries.

Learned counsel for the petitioner appearing on behalf of Sourabh Singh @ Vaneet @ Binnu submits that petitioner is a young boy of 18 years and student of B.A. Part-I.

Learned State counsel opposes the prayer and submits that the petitioners were specifically named in the FIR and one of the injuries sustained by Pankaj Kumar was declared dangerous to life.

Mr. Randeep Tanwar, Advocate for Mr. P.K. Dwivedi, Advocate has put in appearance on behalf of the complainant, though not impleaded as party. He opposes the prayer for grant of bail and submits that injured Pankaj remained hospitalized for a long period and he is still under treatment. The injuries are serious in nature.

Learned State Counsel produced the record. MLR of accused Sourabh Singh @ Vaneet @ Binnu is there on record and it shows that he

also sustained injuries.

Without commenting on the merits of the case and considering the custody period, that though investigation is complete, conclusion of trial is likely to take time and the co-accused has been granted bail by this Court, the petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

A photocopy of this order be placed on the file of connected case(s).

[AVNEESH JHINGAN]
JUDGE

15th July, 2022
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |