

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15939-2022

Date of decision : 25.4.2022

Vinod Kumar and another

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Simsi Dhir Malhotra, Advocate
for petitioners.

Mr. R.S. Khaira, AAG Punjab.

Mr. Johnny, Advocate for
Mr. Arvind Kashyap, Advocate
for complainant.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 16, dated 3.2.2022 registered under Sections 307, 323, 324, 506, 148, 149 IPC at Police Station Division No. 2, Pathankot.

FIR was registered on the complaint of one Vijay Kumar, former Member of Municipal Committee, Pathankot. He stated that on 2.2.2022, a meeting of local BJP workers was organized at Daulatpur Dhaki at 7.00 pm. The petitioner and other accused had threatened since morning that they would not allow the BJP to organize a function in the Mohalla. It is alleged that at about 6.00 pm, accused came to the spot armed with deadly weapons. They started throwing chairs and abusing the BJP workers. It is alleged that Vinod Kumar (petitioner No. 1) and Manoj Kumar were armed with datar; Sanju and Popo were armed with baseballs; Abhi was armed with an iron rod; Gosha was armed with kirpan, Nakul, Gulshan and Gandhi (petitioner No. 2) were armed with iron rod. There were 20-30

unknown persons variously armed. Petitioner No. 1 raised lalkara that BJP workers be not spared. Gopi inflicted a datar blow on the left eyebrow of Manish; Londi caused datar blow on the head of Raj Kumar; Gosha inflicted a kirpan blow on the right eye and upper lip of Puneet Sharma; Sanju hit with the baseball on the head of Puneet; Popo and petitioner No. 2 gave iron rod blows on the right eyebrow of Raj Kumar; Popo gave a baseball blow on the right side check of Manish. The assailants also gave flat and kick blows to the BJP workers who have gathered there. Thereafter, accused ran away from the spot.

Learned counsel for petitioners has argued that 4 people were injured in the alleged incident. The injuries sustained by them are all simple in nature. The petitioners are in custody since 3.2.2022. The alleged incident is related to the elections which are already over. She further stated that the matter has now been compromised between the parties. The copy of the compromise has been annexed as Annexure P-8. The affidavit of complainant is annexed as Annexure P-8.

Considering the aforesaid facts and circumstances, no useful purpose would be served by keeping the petitioners behind bars. Hence, petition is allowed. Petitioners Vinod Kumar and Dilpreet Singh alias Gandhi are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

25.4.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No