

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

CRM-M-17298 of 2022 (O&M)

DECIDED ON:4th May, 2022

Shiva

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. G.S. Sandhu, Advocate for petitioner.

Mr. Sandeep Kumar, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in FIR No. 322, dated 27.12.2021, under Sections 341/ 323/ 148/ 149 of IPC, 1860 and offence under Section 307 of IPC, 1860 added later on vide GD No. 25, dated 8.1.2022, registered at Police Station City Sri Muktsar Sahib.

As per the case set up, on 25.12.2021, Sameer armed with Kapa inflicted injury on the head of the complainant. As per the allegations in the FIR, Eib Khan was armed with Khanda. No specific injury is attributed to the petitioner, he is alleged to be armed with stick and raised lalkara.

Learned counsel for the petitioner submits that it is a case of false implication. Petitioner is in custody since 8.1.2022, no specific injury is attributed to the petitioner, no further recovery is to be made and two co-accused were granted anticipatory bail.

Learned State counsel opposes the prayer for grant of regular bail and submits that the complainant sustained an injury on the head which was declared dangerous to life. However, he is not disputing the fact that injury declared dangerous to life is attributed to Sameer. He further submits that petitioner is involved in four more cases.

Without commenting upon the merits of the case, considering the nature of allegations against the petitioner and that no specific injury is attributed to him, no further recovery is to be made from him, co-accused were granted anticipatory bail, conclusion of the trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

4th May, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>