

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

CRM-M-22287 of 2022(O&M)

Date of Decision: 04.08.2022

Sunny @ Mukki

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Gulam Nabi, Advocate
For the petitioner.**

Ms. Samina Dhir, DAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 35 dated 14.03.2022, registered under Sections 323, 324 and Section 34 IPC at Police Station Bhogpur, District Jalandhar Rural, to which Section 307 IPC was added lateron vide DDR No. 43 dated 29.03.2022.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that as per the allegations recorded in the FIR, he gave blow of bat which hit on the left hand of complainant Harmanpreet Singh. The counsel further submits that the petitioner is in custody for the last more than four months and that co-accused Abhishek @ Tiba who gave bat blow on the head of Jaspreet Singh, bother of the complainant has already been granted regular bail, he being juvenile. The counsel further submits that it will take considerable time for the trial to terminate and as such there is no

necessity to keep the petitioner in custody for any longer period. A prayer is made for grant of regular bail to the petitioner.

The present petition is contested by the State counsel who submits that co-accused Abhishek @ Tiba has been granted bail just on the ground that he was juvenile at the time of alleged occurrence. The State counsel further submits that another accused Vijay who gave bat blow on the head of the complainant, has not been arrested so far and is absconding. The State counsel has not disputed the fact that after completion of investigation challan has been presented against the present petitioner and that only injury attributed to the petitioner was caused with bat on left wrist of the complainant.

I have considered the submissions made by learned counsel for the petitioner as well as learned State counsel.

As per the allegations appearing on record, the petitioner attacked the complainant with bat and caused injury on his left wrist and the same was found to be simple in nature. Main accused Abhishek @ Tiba who gave bat blow on the head of Jaspreet Singh, brother of complainant, was arrested and granted bail as he was juvenile at the time of the occurrence. The petitioner is in custody for the last more than four months. The investigation has already been completed against the petitioner but trial is yet to commence and it will take considerable time for the trial to conclude after the framing of charges and as such no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be

released on regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

04.08.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No