

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

211

CRM-M-30515 of 2019 (O&M)

DECIDED ON:30th March, 2022

Naresh Kumar alias Chann

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. K.S. Dadwal, Advocate and
Mr. Naresh Kumar, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 164 dated 22.12.2016, under Sections 323, 324, 307, 148, 149 IPC and for the added offences under Sections 326, 325 and 394 IPC, 1860, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

FIR was registered at the instance of Dilbagh Singh. On 16.12.2016 complainant alongwith Vikas Bhatti alias Vicky, went to Punjab Service Station and there had an altercation. Jatinder Kumar gave hammer blows on the head and right left leg of the complainant. Sanjeev Kumar @ Minta gave khanda blows on the right ear, right hand finger and right elbow. Kamal Saini gave hammer blow on the right leg. Shiv Kumar @ Manu gave hammer blows on the right side of the head and on the back side of left hand of the complainant. Harish Kumar armed with khanda gave khanda blow on the back of head, elbow and middle finger of the left hand. Naresh Kumar @ Ladi gave Barchha blow on the left side of the back of the complainant. Accused while leaving the spot snatched wrist watch of Seiko company silver chain, wallet of the complainant.

Learned counsel for the petitioner submits that petitioner was granted interim bail on 14.1.2020. The petitioner has adhered to the conditions imposed by the Court and has not misused the concession granted. It is further argued that co-accused were granted regular bail by this Court and injured has been examined.

Learned State counsel opposes the bail and submits that petitioner was declared proclaimed offender on 16.8.2017 and was arrested on 3.1.2019. He is involved in two more cases. He was granted interim bail as his father was sick. He gave stab blow on the right wrist of the complainant.

Without commenting upon the merits of the case, considering that the material witnesses have been examined, there are no allegations of misuse the concession of interim bail granted, co-accused were granted regular bail, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

30th March, 2022

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**(AVNEESH JHINGAN)
JUDGE**

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