

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M 54274 of 2022 (O&M)
Date of Decision: 05.12.2022

Vinod Kumar and Anr

.....*Petitioners*

Versus

State of Punjab

.....*Respondent*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Keshav Pratap Singh, Advocate for the petitioners.
Mr. Karandeep Sharma, AAG, Punjab.

GURBIR SINGH, J (ORAL)

Petitioners have filed the present petition *inter alia* praying for grant of regular bail in case FIR No.155 dated 18.06.2022, under Sections 323, 324, 506, 148 and 149 IPC (Section 307 and 451 IPC added later on), registered at Police Station Division No.7, District Ludhiana.

Custody certificate has been filed by learned State counsel, which is taken on record.

Both the petitioners were arrested on 15.10.2022. Initially the petitioners were granted bail by the police as the offences are bailable but later on Sections 307 and 451 IPC were added. The medical report of injured/complainant Harpreet Singh is placed on the file as Annexure P-2 showing 12 injuries on his person. Only 2 injuries were found to be caused with sharp edge weapon. Injury No.2 is on the left ring finger and injury No.3 is on the left arm. It is not the case of the prosecution that any of the injury was grievous in nature or dangerous to life. The MLR of Baljit Singh

is placed on the file as Annexure P-1 showing 7 injuries, which are all simple with blunt weapon. As per police record, the ACP, Ludhiana came to the conclusion as per CCTV Footage that the accused have caused injuries on the abdomen of the complainant with knife but there is no injury with sharp edge weapon on the abdomen of complainant as per MLR of complainant.

In view of the above, without commenting anything on the merits of the case and also bearing in mind the fact that all the injuries are simple in nature and none of the injuries is such from where it can be gathered that same was caused with intention to kill the complainant, coupled with the fact that both the petitioners are in custody since 15.10.2022, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is allowed. Both the petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

If any attempt whatsoever is made by the petitioners to contact/threaten/intimidate any member of the complainant's family (also the family of the petitioners), the complainant/State shall be at liberty to move an application for cancellation of bail granted vide this order.

(GURBIR SINGH)
JUDGE

December 05, 2022

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No