

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

CRM-M-59433-2022 (O&M)

Date of decision: 23.12.2022

Vijay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gaurav Kalsi, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 39 dated 10.03.2022, registered under Sections 323, 324, 326, 34 of the IPC at Police Station Phillaur, District Jalandhar (Rural).

Learned counsel for the petitioner, at the very outset, relies upon order dated 09.12.2022 passed in CRM-M-56022-2022, vide which co-accused Hrithik @ Ritik has already been granted the concession of regular bail by this Court. The operative part of the order reads as under:

“As per allegations in the FIR, victim Suraj was attacked by the accused persons, wherein Vijay Kumar raised a lalkara and the assailants gave datar blows on his head. Thereafter, the petitioner gave a datar blow on index finger of left hand of the complainant, which was amputated and gave another blow on his left leg. Other accused also gave him blows.”

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner has raised lalkara and he himself has

suffered injuries in the incident, which was in fact a free fight and in the FIR itself, the details of MLR No. 5 of the petitioner finds mention. It is further submitted that a cross version has also been registered against the complainant side.

Learned counsel for the petitioner has referred to MLR of the petitioner, as per which, the petitioner has sustained five injuries, out of which injury Nos. 2 and 5 are incised wounds and injury No. 1 is an incised wound on the head.

Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody for the last more than four months; challan stands presented and since the conclusion of trial is likely to take some time, the petitioner may be enlarged on regular bail.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

23.12.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No