

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-5237-2023

Date of Decision.:23.03.2023

Nitin

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harneet Singh Oberoi, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.32 dated 03.04.2022 registered under Sections 307, 323, 324, 326, 148 & 149 of IPC,1860 registered at Police Station City Cantt., District Jalandhar.

FIR was lodged on the statement of Amit son of Ashok Kumar as per which occurrence took place on 03.04.2022. Petitioner namely Nitin along with Manjit @ Bhapa, Gautram @ Gau, Rajat @ Ghora and others caused injuries on the body of Sumit @ Gore (brother of the complainant). The statement of injured was recorded later on 18.04.2022 vide G.D. No.48 in which he specified the roles of each of the assailants. The role attributed to the petitioner is to have given *datar (khanda)* blow on the backside of the head of the injured.

As per the reply submitted by the State, the injury attributed to the petitioner attracts Section 307 of the IPC.

It is contended by learned counsel for the petitioner that though the injured was declared fit on 10.04.2022 but his statement has been

recorded after 8 days and only then he specified the role of the petitioner.

It is further pointed out that all the co-accused namely Manjit Kumar @ Bhapa, Rajat @ Ghora and Himlaya @ Gautam have already been allowed bail by this High Court. Co-accused Manjit Kumar @ Bhapa was allowed bail by this Court on 15.02.2023 in CRM-M-7297-2023, co-accused Himlaya @ Gautam was allowed bail by this Court on 25.01.2023 in CRM-M-849-2023, co-accused Rajat @ Ghora was allowed bail on 19.12.2022 in CRM-M-58088-2022.

As per the custody certificate, petitioner is in custody for 5 months and 10 days. Investigation is completed. Challan had been filed. Charges have already been framed. Trial may likely to take time to conclude.

Having regard to the aforesaid facts and circumstances but without commenting anything on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned.

Learned Trial Court/Duty Magistrate will be at liberty to impose reasonable conditions upon the petitioner including that petitioner will not make any attempt to contact the witness relating to the case nor will tamper with evidence in any manner.

March 23, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No