

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

CRM-M-21554-2023

Date of Decision: 16.05.2023

Sandeep Khan alias Goli

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present:- Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

ASHOK KUMAR VERMA, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.308 dated 20.11.2021 registered under Sections 452/324/323/34 of the IPC, at Police Station Lambi, District Sri Muktsar Sahib.

Brief facts of the case as per the FIR are that the complaint was registered on the statement of complainant-Rakesh Kumar, who alleged that on 18.11.2021 at 3:30 p.m. he along alongwith his nephew Harpreet were present in the house. There was no main gate installed to their house. In the meantime one Bunty, Seepa, Goli and Babbu armed with dandas entered into his house and on seeing them, Harpreet fled away from the scene and they started chasing him. Complainant inquired about the matter from Bunty but he gave blow on his head due to which blood started oozing out of his head and accused persons left the spot and after that complainant went to the civil hospital for treatment and thereafter returned to his house. At about 4:00 p.m.

again the aforementioned four persons entered into his house and at that time Bunty was armed with Kripan, Seepa empty handed, Goli was armed with handle of spade and Babu was armed with baseball bat. Seepa caught hold of the complainant and gave kick blow on his private parts due to which he fell down on the ground and while he was lying on the ground, the accused persons inflicted blows on his entire body and when he raised alarmed all the accused persons fled away from the spot.

Learned counsel for the petitioner submits that the allegations against the petitioner are that he armed with handle of spade entered the house of the complainant and inflicted injuries on the complainant. He further submits that the petitioner has been falsely implicated in the present case. He further submits that admittedly the petitioner was armed with handle of spade but no specific injury has been attributed to him and even all the injuries on the complainant are simple in nature. He further submits that the trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

On the other hand learned State counsel opposed the present petition as allegations are serious in nature and even period of custody as per the certificate dated 13.05.2023 filed in Court today by the learned State counsel (which is taken on record) is also very less.

I have heard learned counsel for the parties and gone through the paper-book.

Keeping in view the facts and circumstances of the case, custody period of the petitioner, the fact that some of the co-accused of the petitioner

CRM-M-21554-2023

2023:PHHC:070625

-3-

have already been granted bail by the trial Court and also the fact that the trial likely to take long time, with there being no other case of similar nature registered against him, without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

The petitioner-Sandeep Khan alias Goli is ordered to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

(ASHOK KUMAR VERMA)
JUDGE

May 16, 2023

dharamvir

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO