

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30125-2023
Decided on: 23.08.2023

Ajay Kumar @ Kaku

.... Petitioner

Vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. D.N. Ganeriwala, Advocate, for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.

Status report by way of affidavit of Sh. Sandeep Wadehra (PPS), Assistant Commissioner of Police, Industrial Area-B, Ludhiana, filed on behalf of the respondent/State today, which is taken on record.

2. Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.31 dated 19.03.2019 registered at Police Station Daba, District Ludhiana under Sections 307, 324, 323, 506, 201, 148 & 149 IPC.

3. It is contended by ld. counsel that only role attributed to the petitioner is that he had given *datar* blow on the head of the complainant Sonu Kumar. It is contended by ld. Counsel that co-accused Dalip Bhaiya had allegedly given *khanda* blow on the back of the head and face of the complainant; whereas, another co-accused Gagandeep @ Gaggu had given *khanda* blow on the head of the complainant and that both of them i.e.

Dalip Bhaiya and Gagandeep @ Gaggu have already been allowed bail by this Court. Ld. counsel further contends that petitioner had been arrested in another case on 19.06.2020 and that neither any attempt was made by the police to arrest him in the present case nor any production warrant was got issued. Ld. counsel contends that when petitioner was granted bail in another case in CRM-M-58527-2022 on 04.01.2023, it was observed that petitioner was in custody since 19.06.2020.

4. Ld. State counsel does not dispute that co-accused Dalip Kumar, who is attributed to have given *Khanda* blow on the head and face of the complainant, was allowed bail by Coordinate Bench of this Court vide order dated 19.08.2020 in CRM-M-23219-2020; whereas another co-accused Gagandeep Singh @ Gaggu, who is also attributed khanda blow on the head of the complainant, was allowed bail vide order dated 15.09.2020 in CRM-M-26738-2020.

5. Having regard to all the facts and circumstances and on the basis of parity, but without commenting anything further on merits of the case, petitioner is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Allowed.

(DEEPAK GUPTA)
JUDGE

23.08.2023

Vivek

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No