

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

225

CRM-M-31124-2023

Date of decision: 07.07.2023

Amandeep Singh @ Rahul

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in cross-case bearing DDR No.36 dated 16.02.2023 under Sections 341, 506, 148 and 149 of the IPC (Section 326 of the IPC added lateron) registered at Police Station Model Town District Police Commissionerate Ludhiana in FIR No.30 dated 16.02.2023 under Sections 323, 341, 506, 148 and 149 of the IPC registered at Police Station Model Town, District Ludhiana.

2. Learned counsel for the petitioner *inter alia* submits that it is a case of version and cross-version wherein admittedly both the parties, who are immediate neighbours as their shops adjoin each other and there was a history of strained relations between them as they were business rivals. Both the sides had received injuries at the hands of each other in the occurrence in question which was initiated by none other than the complainant party who first assaulted the petitioner. He further

submits that since investigation is complete and challan stands presented, further incarceration of the petitioner, who has now been in custody since 15.03.2023, would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer made by the counsel opposite has not been able to dispute that it is a case of version and cross-version wherein both the parties had received injuries at the hands of each other. He, however, submits that the petitioner inflicted a grievous injury on the head of the injured with a hammer.

4. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he, on instructions has replied in the negative.

5. It has been further not been disputed by learned State counsel that investigation is complete and charges are likely to be framed on 18.07.2023.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. Admittedly, it is a case of version and cross-version wherein both the parties received injuries at the hands of each other. Investigation is complete and charges are likely to be framed on the next date of hearing i.e. 18.07.2023. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

8. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed

hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

07.07.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No