

2023:PHHC:121930

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

**CRM-M-44876-2023
Date of Decision:15.09.2023**

Rahul @ Kaku

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms.Anmol Advocate for
Ms. Tanisha, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi,
Additional Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 17 dated 14.01.2023, registered under Sections 307, 331, 353,186,149 of IPC (Section 201 IPC added later on) Police Station City Faridkot, District Faridkot.

2. Learned counsel for the petitioner contends that the petitioner was not present at the spot and there is no specific attribution to him. Learned counsel further contends that in the present case all the allegations have been levelled against Karan, non-applicant, who had allegedly given a blow on the head of the complainant. Learned counsel further contends that co-accused Gurpreet Singh @ Dhudi has already been granted the concession of interim anticipatory bail by this Court vide the order dated 26.05.2023 (Annexure P-3).

She further contends that similarly placed co-accused Rajni Rani has already

been granted the bail by this Court vide the order dated 04.05.2023 (Annexure P-4). Two other co-accused namely Krishna and Kiran have also granted the concession of bail vide the order dated 30.05.2023 (Annexure P-5). She further contends that the petitioner is in custody since 14.01.2023 and the Trial Court may take considerable time to conclude the Trial and his further custody will serve no meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner along with other co-accused had caused injuries to the police officials and the petitioner does not deserve the concession of bail.

4. I have heard the learned counsel for the parties and with their able assistance, I have gone through the Court record carefully.

5. The petitioner is in custody since 14.01.2023 and is in custody for a considerable long time. Apart from that, similarly placed co-accused Rajni Rani, Kiran and Krishna have also granted the concession of bail by this Court and further custody of the petitioner will serve no meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

15.09.2023
hitesh

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