

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANIDGARH

CRM No.2342 of 2023 in/and  
CRM-M No.51062 of 2022  
Date of Decision: 19.01.2023

Rahul

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Vishal Sharma, Advocate for  
Mr. S. K. Choudhary, Advocate  
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

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GURBIR SINGH, J (ORAL)

CRM No.2342 of 2023

The present application has been filed for addition of Section 326 of IPC (added later on) in the head note, Para No.1 as well as prayer clause of the main petition.

Notice in the application to the non-applicant/respondent be issued.

Ms. Himani Arora, AAG, Punjab appears and accepts notice on behalf of the non-applicant/respondent. A copy of the application be supplied to her during the course of the day. She submits that she has no objection if the application is allowed.

In view of the averments made in the application, the prayer for addition of Section 326 of IPC in the head note, para No.1 as well as prayer clause of the present petition is allowed.

Application stands disposed of.

Registry is directed to carry out the necessary correction in the instant case.

**CRM-M No.51062 of 2022**

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0136, dated 01.09.2021, under Sections 323, 324, 307, 148, 149 of IPC, registered at police station Division No.2, District Pathankot.

Learned counsel for the petitioner submits that the petitioner is in custody since 14.09.2022. Investigation is complete, challan presented and the charges were framed. No injury is attributed to the petitioner. He further submits that the main allegations are against Ravi Kumar @ Romy and Ishal Choudhary @ Ishu @ Rishu, who inflicted injuries. The other co-accused have already been granted the concession of regular bail by this Court. The petitioner may also be considered for the grant of regular bail.

Learned counsel for the State has opposed the prayer for regular bail but he has not denied the averments made by learned counsel for the petitioner.

Keeping in view the facts and circumstances of the present case that the petitioner is in custody since 14.09.2022 and other accused have already been granted the concession of regular bail and only allegation against the petitioner is that he was accompanying the accused and no injury or overt act is attributed to the petitioner, this Court deems it fit and proper to grant regular bail to the petitioner.

Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate, concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

19.01.2023  
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(GURBIR SINGH)  
JUDGE

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