

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235

1.

CRM-M-49729-2023

Date of decision: 09.10.2023

Rajinder

.....Petitioner

Versus

State of Punjab

.....Respondent

2.

CRM-M-49863-2023

Rajan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.K. Bajaj, Advocate for the petitioners.

Mr. Digvijay Nagpal, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. This order shall dispose of above referred two petitions as they arise out of the same FIR i.e. FIR No.254 dated 29.08.2023 under Sections 323/324/341/326/148/149 of the IPC registered at Police Station Rama Mandi, District Jalandhar.

2. The petitioners are seeking the concession of bail under Section 439 of the Cr.P.C. in the FIR in question.

3. Learned counsel for the petitioners while drawing the attention of this Court to the FIR which has been annexed as Annexure P-1, inter alia contends that a perusal of the same reveals that though the petitioners have been named therein, however, totally vague allegations have been levelled against them of having attacked the complainant along with co-accused. He further submits that no specific

CRM-M-49729-2023
CRM-M-49863-2023

role or injury has been attributed to the petitioners much less injury inviting the mischief of Section 326 of the IPC. It has still further been submitted that the petitioners have clean antecedents as they are not involved in any other criminal case.

4. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioners, on instructions from ASI Mohan Lal, has not been able to dispute that though the petitioners have been named in the FIR in question, however, they have not been attributed any specific injury on the person of the complainant. Learned State counsel, on further instructions, has also not disputed that the injury inviting the mischief of Section 326 of the IPC has been attributed to co-accused Sahil and Jai.

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

6. The petitioners have been in custody since 30.08.2023. In the circumstances, particularly the nature of allegations levelled in the FIR wherein they have not been attributed any specific injury, this Court deems it fit to extend the concession of bail to the petitioners.

7. Accordingly, the instant petitions are allowed. The petitioners 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.

09.10.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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