

S. No.221

2023:PHHC:158601

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

CRM-M-49839 of 2023

Date of Decision:12.12.2023

Kawaljeet Singh @ Kamal Bhao

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Aggarwal, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.77 dated 04.06.2023 registered under Sections 308, 323, 341, 506, 148, 149 IPC at Police Station Kotwali Nabha, District Patiala.

As per allegations, on 02.06.2023, at about 09:00 PM, petitioner along with co-accused entered the liquor vend of the complainant. Attribution to the petitioner is that he caught hold of Bony and started beating him and dragged him towards the FCI godowns.

Learned counsel contends that injury attracting Section 308 IPC is not attributed to the petitioner. Rather it is the co-accused Davinder alias Prince, who is attributed to have given iron Daat blow twice, on the head of the complainant. Learned counsel further contends that petitioner is in custody for almost more than six months, having no criminal antecedents, so he be allowed bail.

Learned State Counsel could not refute the afore-said contentions regarding the role attributed to the petitioner.

Custody certificate placed on record reveals that petitioner is in custody for the last 06 months and 07 days with no criminal antecedents.

Having regard to the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

December 12, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No