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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1224-2024
Date of decision: 16.01.2024

Raj Pandey

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. G.S. Verma, Advocate for the petitioner.

Mr. J.S. Bhandari, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of regular bail in criminal case having FIR No.151 dated 05.07.2023 under Sections 452, 307, 326, 323, 324, 506, 427, 148 and 149 of IPC, at Police Station Jamalpur, District Ludhiana.
2. As per the allegations appearing in the FIR, the petitioner along with co-accused attacked complainant, Rohit Singh and Adarsh Jha and caused injuries to them. During investigation, the petitioner was arrested on 02.10.2023.
3. The counsel for the petitioner submits that the petitioner who has been falsely implicated in the present case is in custody since 02.10.2023 and as per prosecution version he was armed with base ball bat

but no specific injury has been attributed to the petitioner and during investigation no weapon was recovered at the instance of the petitioner who is presently lodged in judicial custody and is having no criminal history. It is further submitted that it will take considerable time for trial to conclude. So prayer is made that the petitioner be released on bail.

4. The present petition is resisted by the State counsel who on instructions from ASI Joginder Pal submits that the petitioner was named in the FIR and petitioner along with co-accused persons caused injuries to the complainant party. However, the State counsel has not disputed the fact that there are general allegations against the petitioner and no specific injury has been attributed to the petitioner who was armed with base ball bat. It is also not disputed that the injured persons are already discharged from hospital and that the trial is at its initial stage and the petitioner is having no criminal antecedents and that the petitioner is presently lodged in judicial custody and recovery of no weapon was effected from the petitioner who was arrested on 02.10.2023.

5. I have considered the submissions made by counsel for the parties.

6. In view of the fact, no specific injury is attributed to the petitioner and there are only general allegations against him that he along with co-accused persons attacked the complainant party and further recovery of no weapon being effected from the petitioner who is presently lodged in judicial custody and on completion of investigation, police has presented the challan against the petitioner who is having no criminal history, no purpose is going to be served by detaining the petitioner in

custody for any longer period, and it will take considerable time for trial to conclude which is at its initial stage.

7. In light of the above, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing of personal/surety bonds to the satisfaction of the learned trial Court/CJM, concerned.

16.01.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No