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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5127-2024

Date of Decision:- 09.08.2024

Taljinder Kumar @ Honey Kumar @ Hunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTIPresent:- Mr. Kulwinder Singh Dhillon, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. The petitioner – Taljinder Kumar @ Honey Kumar @ Hunny has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 109 dated 02.07.2023 registered under Sections 307, 326, 325, 324, 323, 506, 148 and 149 of Indian Penal Code, 1860 (for short 'IPC') at Police Station Gharinda, District Amritsar.

2. Brief facts of the case are Raideep Singh @ Joban gave his statement to police that on 18.06.2023 at about 07:30/08:00 PM along with his friends Arshdeep Singh and Karandeep Singh @ Laddu had gone to Attari chowk for some personal work. Honey Kumar (present petitioner) armed with Kirpan, Naresh Kumar @ Mani armed with Datar, Gurjit Singh armed with Datar, Amritpal Singh armed with Datar, Jaspreet Singh @ Jassi armed with Kirpan and Sarbjit Singh @ Shaba armed with Datar came on different motorcycles and attacked his friends Arshdeep Singh and



Karandeep Singh. Honey Kumar gave kirpan blow on the person of Arshdeep Singh which he tried to ward off by raising left arm. He gave three kirpan blows on the person of Arshdeep Singh and injured his left arm. Naresh Kumar @ Mani gave datar blow on the head of Arshdeep Singh. Honey Kumar gave kirpan blow from reverse side which hit on his right thigh above knee. Amritpal Singh is attributed datar blow from reverse side which hit above his left knee. Sarbjit Singh is attributed datar blow on Arshdeep Singh which hit on the back side of his left arm. Gurjit Singh Bhatti gave datar blow on Arshdeep Singh which hit on his left wrist. Naresh Kumar @ Mani gave datar blow which hit on the back of Arshdeep Singh. Arshdeep Singh fell down. Jaspreet Singh @ Jassi gave kirpan blows on the person of Karandeep Singh. Many people gathered in the Bazaar. Honey Kumar and his companions left the spot on their motorcycles with their respective weapons. Injured were taken to Baba Deep Singh Nursing Home, Attari. Arshdeep Singh was referred to K.D. Hospital and then to Guru Nanak Hospital, Amritsar. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that there is delay in lodging FIR. Present petitioner is attributed blows on non-vital part of body. One of the accused Gurjit Singh @ Bhatti has been granted regular bail by learned Additional Sessions Judge vide order dated 04.01.2024. Challan is already presented. Trial in this case may take long time. Petitioner is ready to abide by terms of bail order. Therefore, his regular bail petition may be allowed.



4. Bail petition is opposed by learned counsel representing State. Detailed status report is filed. It is argued that present petitioner is specifically named and he is attributed specific blows. Apart from this case, he is involved in another FIR No. 119 dated 18.07.2023 under Section 307, 336, 506, 323, 148, 149 of IPC and Section 25/27/54/59 of Arms Act, registered at Police Station Gharinda, Amritsar. Considering the gravity of offence, petitioner is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record. Present petitioner is specifically named. He along with other co-accused gave serious injuries to Arshdeep Singh and other boy Karandeep Singh @ Laddu. As per MLR of Arshdeep Singh, he suffered seven injuries, out of which injuries No. 1 and 4 were declared provisionally grievous in nature at that time, since treatment records of K.D. Hospital, Amritsar and GNDH Amritsar were called for. Later on, on the basis of City Scan of head, fracture of frontal and parietal bone and small SDH over frontoparietal region of cerebral hemisphere was detected and this injury was declared dangerous to life, hence grievous in nature. Present petitioner along with co-accused seriously injured Arshdeep Singh as well as other injured Karandeep Singh @ Laddu. Challan is presented and trial is at its initial stage. Recording of statements of prosecution witnesses is to start after framing of charge-sheet.

Considering the specific attribution and gravity of offence, I do not find a fit case for grant of regular bail to petitioner –Taljinder Kumar @ Honey Kumar @ Hunny and accordingly his regular bail petition is dismissed.

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6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

09.08.2024

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(AMARJOT BHATTI)
JUDGE

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