

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

**Neutral Citation No. 2024:PHHC:050769  
CRM-M-8735-2024**

**Date of Decision: April 16, 2024**

**Akashdeep Singh**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Mr. Jagjit Singh Gill, Advocate for the petitioner.

Mr. Baljinder Singh, DAG, Punjab.

**DEEPAK GUPTA, J.(Oral)**

Prayer in this petition filed under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case FIR No.184 dated 16.10.2023 under Sections 307, 323, 34 of the IPC (Section 120-B of the IPC added later on) registered at Police Station City Fazilka, District Fazilka.

2. As per the allegations, the FIR was lodged on the complaint of Ajay Kumar, as per which on 15.10.2023 at about 12:45 a.m. he along with Hasmukh @ Kali, Ashok Narang and Vansh Narang were returning on a scooter after completion of the Ramleela show, where Hasmukh @ Kali had performed the role of Ravan. A motorcycle with three young persons started following the complainant party. The second pillion rider of the motorcycle kicked the scooter of the complainant but Hasmukh @ Kali, who was driving the scooter, prevented its fall. As the complainant stopped at some distance after crossing the house of Hasmukh @ Kali, the three motorcycle riders came there and one of the person wearing check T-shirt inflicted kappa blow on the back of Hasmukh @ Kali, who fell down. The accused then inflicted blows with kappa on other parts of body of Hasmukh @ Kali.

Sheenu Narang, sister of complainant, came outside besides other persons of the locality and the assailants fled away. Injured was taken to the hospital. The MLR revealed as many as 06 blunt injuries on the person of Hasmukh @ Kali. FIR under Sections 307, 323, 34 of the IPC was registered.

3. On 07.11.2023, injured Hasmukh @ Kali got recorded his statement revealing the names of the assailants as Mohit Bathla @ Mohit Kumar Bathla, Akash Brar (petitioner) and Bitta. As such, these three persons were nominated in the case vide Rapat No.35 dated 07.11.2023. Petitioner was arrested on 07.01.2024 and in his disclosure statement, he disclosed that he along with Manjot Singh Bitta had inflicted injuries to Hasmukh @ Kali at the instance of Paras and Baljeet Singh and as such, Paras and Baljeet Singh were nominated in the case vide DDR No.31 dated 10.01.2024 and Section 120-B of the IPC was added.

4. It is contended by learned counsel for the petitioner that similarly placed co-accused, namely Mohit Bathla @ Mohit Kumar Bathla has already been allowed bail by this Court vide order dated 11.03.2024 passed in CRM-M-9635-2024. Besides, the matter has already been compromised between the parties as was noticed by this Court in the order dated 11.03.2024 pertaining to co-accused Mohit Bathla.

5. Learned State counsel has opposed the bail petition by pointing out that petitioner is attributed to have given danda blow to the complainant – Hasmukh @ Kali

6. Custody certificate as placed on record by learned State counsel would reveal that petitioner is in custody for the last 03 months and 04 days.

Co-accused Mohit Bathla @ Mohit Kumar Bathla has already been allowed bail. Even other co-accused, namely, Paramjit Singh, Manjot Singh @ Bitta and Baljeet Singh have already been granted the benefit of bail vide Annexures P-3 to P-5 respectively.

7. Having regard to all the aforesaid facts and circumstances, particularly on the basis of parity, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

**April 16, 2024**  
sarita

**(DEEPAK GUPTA)**  
**JUDGE**

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