



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

CRM-M-22041-2024
Decided on:-08.05.2024

Naresh Kumar and anotherPetitioners..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Rakesh Gupta, Advocate,
for the petitioners.

Mr. Rahul Jindal, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioners in case bearing FIR No.239 dated 11.09.2023, registered under Sections 323, 324, 341, 506, 148, 149, 427 IPC (Section 326 IPC added later on), at Police Station Patran, District Patiala, wherein, petitioner No.1 has been implicated with the allegations of having given *dang blow* on the left hand of the complainant, whereas, petitioner No.2 was merely present at the place of occurrence.

2. On the other hand, learned State counsel opposes the prayer made herein while submitting that the injury attributed to petitioner No.1 was grievous in nature, whereas, petitioner No.2 was involved in more case of similar nature, thus, he prays for dismissal of the present petition.

3. I have heard learned counsel for the parties and gone through the

paper book. I find substance in the submissions made by learned counsel for the petitioners.

4. In the present case, petitioner No.1 is in custody since 12.03.2024, whereas, petitioner No.2 is in custody since 01.03.2024. As per learned State counsel, the investigation stands concluded and the challan is likely to be presented soon before the Illaqa Magistrate, besides, the injury attributed to petitioner No.1 is on the left hand i.e. on the non-vital part of the body of the complainant, whereas, no injury has been attributed to petitioner No.2.

5. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioners.

6. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail, subject to their furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

08.05.2024
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(HARKESH MANUJA)
JUDGE

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