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

CRM-M-24547-2024

Date of Decision: 21.10.2024

Parminder Kumar @ Pindi

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Sukhanpreet Kaur Rangi, Advocate and
Mr. Fateh Sahota, Advocate for
Mr. S.S. Rangi, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Navkesh Singh Goraya, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer to grant regular bail to him in case FIR No.26 dated 09.02.2024, registered under Sections 307, 323, 325, 341, 506, 148, 149 of IPC, at Police Station Salem Tabri, District Ludhiana.

2. The present case was heard at length by this Court on 23.08.2024 and the following rival submissions have been noticed by this Court before granting the concession of interim bail to the petitioner.

“Learned counsel for the petitioner contends that the occurrence in the present case had taken place on 03.02.2024, whereas, the FIR has been registered on 09.02.2024, after a delay of 06 days. She has further referred to the photographs (Annexure P-3) to contend that the complainant-Narender Kumar



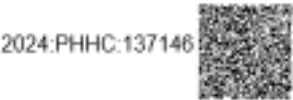
was holding a gandasa in his hands and had entered the godown of the petitioner and caused injuries to the accused in the present case. She further contends that in their right of private defence, some injuries were caused to the complainant side by the accused. She further contends that the petitioner is in custody since 09.02.2024 and the challan has already been presented against him.

On the other hand, during the course of hearing, learned State counsel is assisted by ASI Surinder Pal. ASI Surinder Pal submits that the occurrence had not taken place inside the godown of the petitioner rather the occurrence had taken place outside in the street. Even it is apparent from the photographs (Annexure P-3) that the complainant had gone to the godown of the petitioner, duly armed and even the petitioner seems to be pacifying the complainant. Still in the present case, no cross version has been recorded by the police. Apart from that, it is apparent from the statement of ASI Surinder Pal that he has tried to mislead the Court by stating the Court occurrence had taken place in the street and not in the godown of the petitioner.”

3. Learned counsel for the petitioner has reiterated the submissions made on 23.08.2024. She further contends that the petitioner was granted the concession of interim bail on 23.08.2024 and has not misused the concession of bail in any manner. She further contends that the petitioner shall appear before the trial Court on each and every date of hearing.

4. On the other hand, learned State counsel, assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner.

5. At this stage, without commenting any further on the merits of the case, lest it may prejudice the case of either of the parties before the trial Court,



the present petition is allowed and the interim order dated 23.08.2024 passed by this Court is made absolute. The petitioner shall continue to appear before the trial Court on each and every date of hearing and shall not remain absent from the trial Court proceedings, without prior permission of the trial Court.

21.10.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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