



CRM-M-30314-2024

-1-

215

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30314-2024

Date of Decision:- 04.11.2024

Anil Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Munish Puri, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. The petitioner – Anil Kumar has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 27 dated 08.04.2024, under Sections 450, 323, 324, 435, 34 of IPC (Sections 326, 201 of IPC added lateron), registered at Police Station Taragarh, District Pathankot.
2. As per the facts of case, complainant Aman Kumar stated that on 06.04.2024 at about 8:30 PM, he was working at his shop and his brother Rahul Kumar alias Kaka was also present there. In the meantime, Rahul Kumar armed with *Datar*, Sahil Saini armed with *Datar* and Anil Kumar armed with *Datar* came outside his shop and Rahul raised *lalkara* to catch hold of him. Complainant came outside and tried to explain that he did not say anything wrong about them. In the meantime, Rahul gave *Datar* blow which hit in the middle of his head. Sahil Saini gave two *Datar* blows



CRM-M-30314-2024

-2-

which he tried to ward off by raising his left hand, as a result, it hit on his left wrist and left thumb. Anil Kumar also gave *Datar* blow which hit on his left knee. He fell down on ground and raised alarm for help. On seeing people gathering there, assailants ran away from the spot with their respective weapons.

3. Learned counsel for petitioner argued that he is falsely implicated in this case due to political reasons. In fact, Rahul had a fight with complainant party, who also received injuries. Copy of MLR of co-accused Rahul Kumar is annexed as Annexure P-2. Injury attributed to present petitioner is simple in nature and is on a non-vital part of body. Copy of MLR is Annexure P-3. He was arrested in this case on 08.04.2024. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Status report filed. Facts of the case as detailed in FIR are confirmed. It is pointed out that present petitioner is specifically named and specific role is attributed to him. Apart from this case, petitioner is involved in three other FIRs detailed in paragraph number 6(E) of status report. Petitioner is a habitual offender. Therefore, he may not be released on bail.

5. I have considered the arguments and have gone through the record. Present petitioner is behind bars since 08.04.2024. Facts of the case indicate that co-accused also received injuries, therefore, it is a case of version and cross-version. Challan has been presented on 03.07.2024 and charge-sheet is yet to be framed. Therefore, trial in this case is likely to



CRM-M-30314-2024

-3-

take some time. No purpose would be served by keeping him behind bars for indefinite time period. Therefore, without expressing my mind on the merits of the case, regular bail petition filed by petitioner – Anil Kumar is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

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

04.11.2024
lalit

(AMARJOT BHATTI)
JUDGE

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