

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-55607-2023
Date of Decision:02.04.2024

LEELA ALIAS RAKESH KUMARPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Brar, Advocate
for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.25 dated 15.04.2023 under Sections 323, 325, 148 and 149 IPC and Section 307 of IPC added later on, registered at Police Station GRP, District Bathinda.

2. As per allegations, petitioner along with co-accused Sunny, Harpreet, Labha, Ajju and Meetu, armed with various kinds of weapons caused injuries to complainant-Rahul Kumar. One of the injury on the person of Rahul Kumar was dangerous to life attracting Section 307 of IPC.

3. Learned counsel contends that the petitioner has been falsely implicated; that he is not attributed with any specific injury upon the complainant. Learned counsel further contends that injury under Section 307 of IPC is not specifically attributed to the petitioner and that co-accused Sunny, Harpreet Mani Singh and Jaspreet have already been allowed bail from time to time by the trial Court itself. Learned counsel also contends that petitioner is in custody for last more than 10 months; trial is likely to take long time to conclude and so, he be allowed bail.

4. Learned State counsel has opposed the bail petition by submitting that petitioner is a previous convict in other case and also involved in two other cases. However, it is conceded by learned State counsel that injury attracting Section 307 of IPC is not specifically attributed to the petitioner. He also informs that out of total 20 witnesses cited by the prosecution, not even a single witness has been examined so far. As per the custody certificate placed on record, petitioner is in custody for the last 10 months and 12 days. Co-accused have already been allowed bail.

5. Having regard to the aforesaid facts and circumstances, particularly on the basis of parity, but without commenting anything upon the merits of the case, petition is allowed. Petitioner is admitted to regular bail and is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

02.04.2024

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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes
Whether Reportable	No