



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

**CRM-M-60452-2023 (O&M)
Date of decision :21.05.2024**

Vinay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. L.S. Lakhanpal , Advocate for the petitioner.
Ms. Manjot Kaur, AAG, Punjab.
Mr. J.S. Sekhon, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No. 107 dated 14.09.2023, under Sections 148, 323, 324, 427, 452, 506 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC') (Sections 326 & 307 of IPC added later on), registered at Police Station Urban Estate, Patiala.

2. Allegations are that petitioner alongwith co-accused attacked the complainant party with deadly weapons and caused injuries with intention to kill them.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail on 06.12.2023 passed by this Court and he is regularly appearing before learned trial Court. Further contends that there is no other case pending against the petitioner except the present FIR. Also contends that there is no apprehension that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner.

4. Learned State Counsel, on instructions from the quarter concerned, has acknowledged the above factual position and submits that petitioner has not misused the concession of interim bail granted by this Court on 06.12.2023.



5. Learned counsel for the complainant opposes the prayer made by learned counsel for the petitioner.

6. Heard learned counsel for both the sides and perused the paper book.

7. This Court, granted interim bail to the petitioner on 06.12.2023, in the following manner:-

“ Contends that co-accused has already been granted interim bail, vide order dated 21.11.2023 (P-3).

Learned State counsel seeks time to have instructions and/or file written response in the matter.

Posted for 16.01.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

To be heard along with CRM-M-57279-2023.”

8. Learned State counsel has duly acknowledged that there is no apprehension that petitioner is likely to misuse the concession or hamper proceedings in any manner. Thus, in such a scenario, sending the petitioner to custody, at this stage would not serve any purpose.

9. Although learned counsel for the complainant has opposed the prayer of the petitioner, but learned State counsel has not raised any objection to that effect, hence, the contention of learned counsel for the complainant is rejected.

10. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 06.12.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary



adjournment(s).

12. The above observations may not be construed as an expression of opinion on the merits of the case.

13. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

14. Pending application(s), if any, shall also stand disposed off.

21.05.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No