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

**CRM-M No.36941 of 2025
Date of decision : 21.07.2025**

Deepak Kumar @ Deepu**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. Parminder Singh Kanwar, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.50, dated 05.04.2018, under Sections 307, 326, 323, 324, 148, 149 of IPC, 1860, registered at Police Station Mukerian, District Hoshiarpur.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Rajbir Singh. It was alleged that on 03.04.2018, some boys came in a car XUV of white colour. They were Pawan @ Shaunki, Gagandeep, Gurkirat Bhinder, Deepu Pehalwan (petitioner) and 3-4 other unknown persons. All these persons were armed with Khanda, Baseball bats, Datar, etc. They all started beating him. The petitioner, who was armed with *Khanda*, gave



blow of the same on left knee of the complainant. The other persons gave the blows on his head and other parts of the body. The complainant suffered multiple injuries and thereafter his father shifted him to the hospital. The prayer was made to take the legal action against the accused. On registration of the FIR, the investigation commenced and the petitioner was arrested on 17.12.2018. The petitioner was granted bail by the learned trial Court vide order dated 14.02.2019. However as he jumped bail, hence he was declared as proclaimed offender vide order dated 23.10.2024. The petitioner assailed the order dated 23.10.2024 before this Court and in pursuance to the order passed by this Court dated 05.05.2025, the petitioner surrendered before the learned trial Court and thus was arrested on 15.05.2025. The petitioner approached the Court of learned Additional Sessions Judge, Hoshiarpur praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Hoshiarpur declined the petition filed by the petitioner vide order dated 20.05.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the complainant has levelled the allegations against various accused persons and so far as the allegations made against the petitioner are concerned, he was alleged to have given a *Khanda* blow on the left knee of the complainant. He has submitted that the injury attributed to the petitioner is not covered under Section 307 of IPC. He



has submitted that even otherwise, the petitioner was already granted bail by the learned trial Court and it is because, he was jumped bail, hence he was declared proclaimed offender. He has submitted that the petitioner has already surrendered before the learned trial Court. He has further submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that co-accused of the petitioner are already on bail. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. He, on instructions, has submitted that the petitioner was earlier granted bail by the learned trial Court, however he misused the same and thus was declared proclaimed offender. He has thus submitted that the petitioner does not deserve the concession of bail. He has placed on record custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested on 17.12.2018 and thereafter he was granted bail by the learned trial Court vide order dated 14.02.2019. But as the petitioner jumped the bail, hence he was declared proclaimed offender. The same was assailed before this Court and after the order having been passed by this Court, the petitioner surrendered. Custody certificate produced would show that the petitioner has suffered incarceration of 04 months and 02 days as on 20.07.2025. Custody



certificate further shows that the petitioner is not involved in any other case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

21.07.2025
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(RAJESH BHARDWAJ)
JUDGE

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