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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40047-2024(O&M)

Date of Decision: 30.01.2025

Vishal @ Steem Sahota

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Aakash Rana, Advocate for
Mr. Sandeep Kumar, Advocate, for the petitioner.

Ms. Seena Sandhu, Additional Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in FIR No.0140 dated 16.05.2021, under Sections 323, 341, 307, 379B, 148, 149 IPC, registered at Police Station Division No.3, Police Commissionerate, Ludhiana.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner is in custody for about 10 months and the allegations against the petitioner and the other co-accused were that they had given beatings to the complainant namely, Karandeep Kalia, although nine injuries have been reported on the aforesaid Karandeep Kalia but it is a case where after the aforesaid incident the complainant has left the country and has settled abroad and he has not returned back till date and even the charges have not been framed till date by learned trial Court. He submitted



that the petitioner has been falsely implicated in the present case and rather the other similarly situated co-accused who are at parity with the petitioner namely, Vishal Jacob @ Vishal Gill, Akhil Sabharwal, Manpritpal Singh @ Pretty and Ajay Kumar @ Ajju @ Ajay Sahota have been extended the benefit of regular bail by this Court vide Annexures P-2 and P-3 and so far as the allegations against the petitioner were that he had attacked the aforesaid Karandeep Kalia by way of a *khanda* and so far as the role of the aforesaid co-accused namely, Vishal Jacob @ Vishal Gill was that he had attacked the complainant with *kirpan* and similar roles were attributed to the other co-accused. He also submitted that the complainant is otherwise hale and hearty and settled in abroad and he has not bothered to come back with a result that even the charges have not been framed by learned trial Court and considering the parity aspect and the aforesaid facts and circumstances, he may be considered for the grant of regular bail.

3. On the other hand, Ms. Seena Sandhu, learned Additional Advocate General, Punjab has submitted that the petitioner is a habitual offender and is involved in five more cases and he is in custody for 10 months and therefore, the petitioner is not entitled for the grant of regular bail because of his antecedents.

4. I have heard the learned counsels for the parties.

5. It is a case where the FIR is of the year 2021 and the petitioner is in custody for about 10 months. The petitioner is stated to be involved in five more cases. However, in the present case, the allegations were pertaining to the beating on the complainant namely, Karandeep Kalia by number of accused including the present petitioner. The other co-accused



as aforesaid have already been extended the benefit of regular bail by this Court vide Annexures P-2 and P-3 and one of the grounds for the grant of bail to those co-accused was that the complainant being hale and hearty and has left India and settled abroad with a result that the trial has not commenced because even the charges have not been framed. This Court is of the considered view that even if the petitioner is involved in five more cases, the petitioner deserves the concession of regular bail on the ground of parity.

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court /Duty Magistrate concerned, if not required in any other case.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

30.01.2025

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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