



CRM-M-51662-2024

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

CRM-M-51662-2024

Date of Decision: 02.04.2025

Jonty @ Shah @ Satish Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Pradeep Goyal, Advocate and
Ms. Mansi Singla, Advocate, for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.161 dated 03.07.2024 under Sections 323, 324, 326, 341, 148, 149 IPC, registered at Police Station Navi Baradari, District Jalandhar.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of Vinod Kumar son of late Gurcharan Kumar. It was alleged that on 29.06.2024 at about 4:00 p.m. 6-7 young persons came to him and immediately thereafter, they opened attacked on him. He submits that Bobby resident of Kot Mohalla without any reasons gave *khanda* blow on the back side of his head. Thereafter, Jonty @ Shah (petitioner) gave *khanda* blow on his right knee. He fell down and thereafter, all the other accused also gave kick and fist blows to the complainant. It was alleged that the accused attacked on him with the intention to kill. Request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jalandhar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no



merit in the same, dismissed the bail application filed by the petitioner vide order dated 09.10.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the case has been planted on the petitioner. He submits that the ocular version is not even medically corroborated. He submits that in all there are four accused, out of which two accused including the one who gave *khanda* blow are on bail. He submits that the petitioner is falsely involved in one more case, however, he is on bail in that case. He submits that the petitioner is behind bars from the last more than six months, however, there is no progress in the trial. He, thus, submits that the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that there are specific allegations against the petitioner that he gave *khanda* blow on the knee of the complainant. He submits that the investigation is complete, however, charges are yet to be framed. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is inferred that in all there are four accused, out of which two accused are on bail. The custody certificate would reflect that he has suffered incarceration of 06 months & 22 days as on 01.04.2025. Though the petitioner is involved in one more case, however, he is on bail in the same. Challan has been presented, however, charges are yet to be framed.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

02.04.2025		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No