

2025:PHHC:029371



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

**CRM-M No.58048 of 2024
Reserved on : 27.02.2025
Pronounced on: 01.03.2025**

TALJINDER KUMAR ALIAS HONEY KUMAR ALIAS HUNNY

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Kulwinder Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, A.A.G, Punjab.

MANISHA BATRA, J. (oral)

1. This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case arising out of FIR No.109 dated 02.07.2023 registered under Sections 323, 324, 506, 148 and 149 of IPC (Sections 307, 326 and 325 of IPC added later on), at Police Station Gharinda, District Amritsar Rural. The previous petition as filed by him had been dismissed vide order dated 09.08.2024 passed in CRM-M-5127-2024.

2. The aforementioned FIR had been registered on the basis of statement recorded by the complainant-Raideep Singh @ Joban alleging therein that on 18.06.2023, he along with his friends Arshdeep Singh and Karandeep Singh @ Laddu had gone to Attari Chowk for some personal work at about 7.30-8:00 PM, when the petitioner along with co-accused had opened an attack upon his friends Arshdeep Singh and Karandeep Singh @ Laddu. All of them were armed with weapons. The petitioner had struck blows with kirpan



on the person of Arshdeep Singh. The other assailants also caused injuries to Arshdeep Singh and Karandeep Singh @ Laddu and thereafter the assailants had fled away. Injured were rushed to the hospital and were treated. After registration of the FIR, investigation proceedings were initiated. During the investigation, offences under Section 307, 325 and 326 of IPC were added. The petitioner was arrested on 29.07.2023. The weapon used by him was recovered at this instance. The investigation stands concluded and presently the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 14 days in lodging of the FIR which has not been satisfactorily explained. The injuries attributed to the petitioner had been sustained by the victim-Arshdeep Singh on non-vital part of his body and have been opined to be simple in nature. He is in custody since long. The trial is likely to take time. Co-accused Gurjit Singh Bhatti whose case is on similar footing, had already been granted bail by the trial Court on 04.01.2024. His further incarceration would not serve any useful purpose. The prolonged period of his incarceration has certainly made him entitled for seeking concession of bail. Therefore, it is urged that he deserves to be released on bail.

4. Status report has already been filed by the respondent-State. It is submitted therein and learned Additional Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner as by forming an unlawful assembly with the co-accused and in prosecution of



common object of that unlawful assembly, he had caused simple as well as grievous injuries on the person of the victim-Arshdeep Singh. He had sustained fracture on frontal and parietal bone. The said injury had also been opined to be dangerous to life. His previous petition had been dismissed on merits by making a detailed discussion. No new and substantive ground has been made out for grant of bail to the petitioner. Therefore, it is urged that the present petition does not deserve to be allowed.

4. I have heard learned counsel for the parties at considerable length.

5. The petitioner is alleged to have formed an unlawful assembly with the co-accused and in prosecution of common object thereof, to have caused injuries to the victims- Arshdeep Singh and Karandeep Singh @ Laddu. The injury that had been attributed to the petitioner is on left elbow joint of the victim-Arshdeep Singh. This injury was declared to be grievous in nature. The injuries that had been opined to be dangerous to life has not been attributed to him. Co-accused Gurjit Singh Bhatti whose case is on similar footing, has since been extended benefit of bail. On parity, the petitioner, too deserves to be extended the same benefit. His further incarceration is also not going to serve any useful purpose.

6. Keeping in view the above discussed facts, I am of the considered opinion that the petition deserves to be allowed. Accordingly, the present petition is allowed and petitioner is ordered to be released on bail subject to his furnishing fresh personal and surety bonds to the extent of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.



7. It is however, clarified that nothing discussed above shall have any bearing on merits of the case

8 Since the main petition is disposed of, pending application, if any also stands disposed of.

01.03.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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