

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

**Criminal Misc. No. M-11685 of 2015 (O&M)
Date of Decision: 22.4.2015**

Anand Bali

--Petitioner.

Vs.

State of Punjab

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Amit Dhawan, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

CRM-11824 of 2015

Applicant seeks exemption from filing certified copies of Annexures P-1 and P-2 and typed copy of Annexur P-2.

Application is allowed, as prayed for.

CRM stands disposed of.

CRM-M-11685 of 2015

Petitioner seeks bail pending trial in FIR No. 210 dated 9.12.2014 dated 323/324 IPC (Section 326 IPC was added later on), registered at Police Station Sadar Jalandhar.

Notice to the Advocate General Punjab.

On the asking of the Court, Mr. K.D.Sachdeva, Additional A.G. Punjab, accepts notice.

Learned counsel for the petitioner submits that the incident took place on the spur of the moment, as the complainant and the

petitioner are neighbours. Offence under Section 326 IPC was added later on. He further submits that since the police report under Section 173 Cr.P.C. has been presented to the court of competent jurisdiction and charge is yet to be framed, trial will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Gopal Singh, Police Station Sadar, Jalandhar, submits that the petitioner is the only accused. He further submits that the petitioner attacked with the sharp edged weapon and caused grievous injury on the vital part of the body of the complainant-injured. Thus, he is not entitled for the bail pending trial.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that petitioner is entitled for the bail pending trial. It is so said, because the offence under Section 326 IPC came to be added later on. Since the charge has not been framed so far, trial is not likely to conclude in the near future.

Keeping in view the totality of facts and circumstances of the case noted hereinabove, instant petition is allowed. Petitioner is directed to be released on bail pending trial, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial court/Duty Magistrate.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

22.4.2015
AK Sharma