

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

CRM M-39510 of 2015

Date of decision : 30.11.2015

Subhash

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 5 dated 04.01.2015 under Sections 452/324/323/427/148/149 IPC and under section 307 IPC added later on at Police Station Sadar Ferozepur, district Ferozepur.

Learned counsel for the petitioner contends that all co-accused have been granted bail. Petitioner is in custody since 11.03.2015. Allegation against him is that he caused an injury on the person of head of relative of the complainant namely Chiman Lal.

Prayer has been opposed by learned State counsel on the ground that injury attracting offence under section 307 IPC is attributed to the petitioner as well. According to him, four prosecution witnesses have already been examined.

I have heard learned counsel for the parties.

It is evident that trial of the case is in progress and same is at the stage of recording prosecution evidence. Keeping in view facts and circumstances of the case, period of incarceration of the petitioner and the fact that trial may still take some time to conclude, I am of the considered view that no useful purpose would be served by detaining the petitioner in custody any longer. Without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

November 30, 2015

Ajay

(RAJAN GUPTA)
JUDGE