

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

**CRM No.M- 4493 of 2015
Date of decision: 16.02.2015**

Sunny @ Rajiv

....Petitioner

Versus

State of U.T., Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN.

Present: Mr. Navjit Brar, Advocate
for the petitioner.

Mr. G.S. Chahal, APP
for UT, Chandigarh
assisted by ASI Tikka Singh.

JITENDRA CHAUHAN J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure has been filed for grant of regular bail to the petitioners in case FIR No.461 dated 24.10.2014, registered under Sections 323, 307 read with Section 34 IPC, at Police Station Manimajra, UT, Chandigarh.

Learned counsel for the petitioner contends that the only allegation against the petitioner is that he has raised *lalkara*. The bail of the petitioner was declined by the Court of Sessions Judge on the ground that he has caught hold of the arms of the complainant-injured, Kishan and that facilitating in the causing of

the grievous injuries. The petitioner is in custody since 25.10.2014 and is not involved in any other FIR. He has further contended that the complainant is involved in many other FIRs and still is in custody.

On the other hand, learned counsel for UT, Chandigarh, admits the fact that the complainant is involved in large number of FIRs and still is in custody. He has opposed the bail of the petitioner.

Heard.

Keeping in view the above facts and circumstances and the fact that the petitioner is not involved in any other FIR and has suffered incarceration since 25.10.2014, the present petition is allowed. The petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate, Chandigarh.

(JITENDRA CHAUHAN)
JUDGE

16.02.2015

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