

Criminal Misc. M- No. 16893 of 2016 (O&M)

Date of decision : June 07, 2016

Vishal and another

.....Petitioners

Versus

State of U.T., Chandigarh

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. S.P.S. Chahal, Advocate
for the petitioners.

Mr. D.S. Brar, APP, UT Chandigarh.

LISA GILL, J.

The petitioners pray for bail pending trial in FIR No. 77 dated 03.03.2016 registered under Sections 147, 148, 149, 506, 323, 356, 307 IPC at Police Station Sector 31, Chandigarh.

It is submitted that Rajinder Kumar alias Billa, who has attributed the injury on the head of the complainant, has been afforded the benefit of anticipatory bail by this Court on 19.05.2016 in CRM M-No. 11256 of 2016. It is observed in the said order that the complainant has not obtained the Radiologist opinion and injuries till date had been considered to be simple.

Learned counsel for the petitioners submits that the petitioners in this case have not been attributed any injury attracting Section 307 IPC in any case. They have been in custody since 03.03.2016 and are not involved in any other case.

Learned counsel for U.T., on instructions from ASI Yashpal, confirms the grant of anticipatory bail to Rajinder Kumar alias Billa and verifies that the complainant till date has not obtained any Radiologist opinion and the petitioners are not involved in any other case. Challan/report under Section 173 Cr.P.C. has been presented against the accused.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioners shall be released on bail pending trial subject to their furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

June 07, 2016
rts

(Lisa Gill)
Judge