
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 207

CRM No.M-21247 of 2016

Date of decision: August 10, 2016

Rocky

.... Petitioner

Versus

State of U.T. Chandigarh

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Mr. Gautam Dutt, Advocate, U.T. APP,
for the respondent-State of U.T.

JASPAL SINGH, J. (ORAL)

This is a second petition preferred under Section 439 Cr.P.C. Rocky has sought bail in case FIR No. 76, dated March 03, 2016, under Sections 147, 148, 149, 323, 307 IPC, registered at Police Station Sector 31, Chandigarh.

Only allegation against the peititoner is that he, while armed with sword, accompanied by Shubham, Gale, Akashay and Ashish residents of Ram Darbar opened an attack on the complainant. Though, co-accused of the petitioner namely Shubham is alleged to have dealt a handle of sword which resulted infliction of injury on the neck of the complainant, but only fists and slaps have been attributed to the petitioner. The injury falling

within the ambit of Section 307 of IPC has been ascribed to his co-accused Shubham who is already behind the bars. Moreover, petitioner was arrested in this case on March 06, 2016. Since then, he is suffering incarceration. Report under Section 173(2) Cr.P.C. has already been presented in the Court of learned Magistrate and trial Court is seisin of the matter. The disposal of the trial would take sufficient long time and this Court is of the considered view that it would not be desirable to keep the petitioner in jail for an indefinite period.

Taking into aforesaid aspects and without expressing any opinion on the merits of the case, instant petition stands allowed. Petitioner is ordered to be released on bail to the satisfaction of the trial Court.

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No