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

**CRM No.30285 of 2016 IN/AND
CRM-M-31599 of 2016
Date of decision: September 28, 2016**

Sawan

.....Applicant-Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Kamaljit Rana, Advocate
for the applicant-petitioner.

None for the respondent.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the petitioner.

Today, an application, i.e. CRM No.30285 of 2016 for grant of interim bail to the petitioner is listed. However, this Court finds that the main petition, i.e. CRM-M-31599 of 2016 for grant of regular bail to the petitioner as well as the present application for grant of interim bail will be considered on the same time and therefore, the date of hearing fixed in the main petition is preponed and the same is also taken up for hearing and orders today itself.

Learned counsel for the petitioner submits that the copy of this petition for bail has been served on the learned counsel for the respondent-U.T., Chandigarh. Statement is accepted.

There is an application as stated above for grant of interim bail to the petitioner for the reason that the petitioner has to be present for the ring ceremony of his own marriage on 08.10.2016, which is supported by Annexure P-3 (Ring Ceremony card). Petitioner has applied for regular bail in main petition, i.e. CRM-M-31599 of 2016.

In FIR No.112 dated 03.04.2016, under Sections 147, 148, 149, 307, 120-B of Indian Penal Code, 1860, registered at Police Station Sector-31, U.T., Chandigarh, petitioner was arrested on 03.04.2016 and is in custody since then.

Admittedly, challan has been filed before the competent Court. I have carefully perused the FIR with the assistance of learned counsel for the petitioner. A perusal of the FIR shows that Sumit along with Akshay had given a sword blow on the head of the son of the complainant while the petitioner and others named in the FIR had given fists blows to her son. The FIR does not show any further act on the part of the petitioner. In my opinion, prima-facie, the petitioner is entitled to bail as the allegation is that he had given fists blows to the son of the complainant.

In that view of the matter, present application as well as main petition are allowed particularly because the challan has been filed. Petitioner be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses and shall not communicate or influence the witnesses including the son of the complainant. If the respondent-U.T., Chandigarh is aggrieved by this Court, it is at liberty to apply for recall of this order.

(A.B. CHAUDHARI)
JUDGE

September 28, 2016
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No