

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No. M-37449 of 2016(O&M)

Date of Decision: 07.11.2016

Subham

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Yashpal Thakur, Advocate
for the petitioner

Mr. G.S. Chahal, APP, U.T. Chandigarh

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.112 dated 3.4.2016 under Section 147, 148, 149, 307, 120-B IPC, registered at Police Station Sector 31, Chandigarh.

Learned counsel for the petitioner contends that the petitioner is in custody since 3.4.2016 and allegation against him is that he caught hold of the injured namely Vikram. The co-accused namely Sawan has already been admitted on bail by this Court in CRM-M-31599-2016 *Sawan v. State of UT, Chandigarh* vide order dated 28.9.2016.

Learned APP, UT, Chandigarh, on instructions from SI Rajbir Singh, does not dispute the custody period of the petitioner. He states that the co-accused Sawan has been admitted on bail by this Court vide order dated 28.9.2016

I have heard learned counsel for the parties.

Considering the nature of injury attributed to the petitioner and the fact that the petitioner is in custody since 3.4.2016 and the trial in the case will take long time, as only challan has been presented, coupled with the fact that the co-accused of the petitioner has also been admitted on bail, I deem it appropriate to release the

petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that the observations made hereinabove shall not be construed as any expression on the merits of the case.

Crl. Misc. No. 34388 of 2016

As petitioner has been admitted on regular bail, learned counsel for the petitioner does not press the present application.

Dismissed as not pressed.

(HARI PAL VERMA)
JUDGE

November 07, 2016
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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No