

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-38019 of 2016
Date of decision : November 11, 2016

Anil Kumar

....Petitioner

versus

State of Punjab

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Amit Verma, Advocate, for the petitioner
Mr. Jasjeet Dhaliwal, DAG, Punjab, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Anil Kumar in this regular bail application under section 439 Cr.P.C. are that 26.9.2009 he along with his co-accused non-applicant has assaulted injured Arun Kumar. The only attribution against the petitioner is that he has caught hold of the victim whereas his co-accused have assaulted him. The contentions of counsel for the petitioner that no injury is attributed to the petitioner and the only injury covered under section 326 IPC is attributed to his co-accused which is on the right hand, a non-vital part and that the petitioner is in custody since 28.7.2016. The factual position is not controverted by the learned State counsel.

Keeping in view the period of incarceration and the fact that the trial is not likely to be concluded in near future, without adverting to the

merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur.

The present petition stands disposed off accordingly.

November 11, 2016

(Fateh Deep Singh)
Judge

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<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>