

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

**Criminal Misc. No. M-43437 of 2016
Date of Decision:-20.12.2016**

Aanam Chopra

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail during pendency of trial to the petitioner in case FIR No.57 dated 28.6.2016, under Sections 307/34, 120-B IPC and Section 25/54 of the Arms Act, registered at Police Station City Fazilka, District Fazilka.

Learned counsel for the petitioner states that the petitioner is in custody since 8.7.2016 and no injury has been attributed to him. The only role attributed to the petitioner is that at the time of commission of offence, he was accompanying the main accused namely, Nitin. The injury, if any, has been attributed to the said accused Nitin. There is no other case against the petitioner.

Learned State counsel has filed the custody certificate and on instructions from ASI Tilak Raj states that though no injury has been attributed to the petitioner but the presence of the petitioner with the main accused has made all the difference and in this manner, the offence was committed by the petitioner in association with accused Nitin.

I have heard learned counsel for the parties.

One of the co-accused namely Abhishek Babbar @ Kalu has been admitted on bail by learned Chief Judicial Magistrate, Fazilka. The only role attributed to the petitioner is that at the time of commission of offence, he was accompanying the main accused namely, Nitin. No injury has been attributed to the petitioner. He is not involved in any other case and is in custody since 8.7.2016. The trial in the case will take sufficient long time. Therefore, this Court is of the considered view that the petitioner deserves to be admitted on regular bail.

Resultantly, the petition is accepted. The petitioner shall be released on bail on his furnishing appropriate bail bonds and surety bonds to the satisfaction of the trial Court.

December 20, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No