

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

CRM-M-35531-2017

Date of Decision:03.10.2017

Sarabjit

.....PETITIONER

V/S

State of Punjab

.....RESPONDENT

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

Present: Mr.Harsh Chopra, Advocate for the petitioner.

Mr.Ramandeep Singh Sandhu, Sr.DAG, Punjab.

A.B. CHAUDHARI J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.61 dated 28.05.2016 under Sections 308, 323, 452, 148, 149 and Sections 325, 427 IPC (added later on) registered at Police Station Bhogpur, Distt. Jalandhar (Annexure P-1).

The only allegation against the petitioner is that he, while armed with *sota* accompanied by some other persons, instigated his co-accused to bring Amarjeet outside and it was subsequent thereto, his co-accused caused injuries to said Amarjeet. An injury, which falls within the ambit of Section 308 IPC, is attributed to non-applicant. The petitioner was arrested in this case on 05.07.2017. and since then he is in jail. During his custodial interrogation, the alleged weapon i.e Sota has already been recovered. After the completion of investigation, report under Section 173(2) Cr.P.c. has already been presented in the Court of learned Jurisdictional Magistrate. Certainly, the disposal of the trial would take sufficient long time.

In that view of the matter, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

Taking into consideration all the aforesaid aspects of the this case, but without expressing any opinion on the merits of the case, I am inclined to grant bail to the petitioner. Hence I make the following order:-

ORDER

- (i) The Crl. Misc. No.M-35531-2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.

(A.B. CHAUDHARI)
JUDGE

03.10.2017
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No