

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

CRL. MISC. No.M-35621 OF 2017
DATE OF DECISION : 29th SEPTEMBER, 2017

Vaibhav Bhardwaj

.... Petitioner

Versus

State of U.T. (Chandigarh)

.... Respondent

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

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Present : Mr. A. K. Handa, Advocate for
 Mr. Madan Sandhu, Advocate for the petitioner.

 Mr. G. S. Chahal, APP for U.T. Chandigarh
 with SI Amrik Singh, PS Sector-34, Chandigarh.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this second petition under Section 439 Cr.P.C. seeking regular bail in FIR No.48 dated 23.02.2017 registered under Sections 307 read with Section 34 IPC and Section 25/27/54/59 of Arms Act at Police Station Sector 34, Chandigarh.

Heard learned counsel for the rival parties.

The petitioner was arrested on 04.03.2017 and is in jail since then.

Learned counsel for the UT has vehemently opposed the plea for regular bail. He invited my attention to para 9 of the impugned order and pointed out that the nature of the injury is grievous, therefore the petitioner cannot be granted bail.

In the present case the evidence of the victim has been recorded which I have seen. I have also seen the cross-examination thereof. Looking to the nature of the injury, there is no fracture i.e.

disclosed in the injury report and though the weapon used is iron rod which is dangerous weapon, the fact remains that looking to the nature of the injury the petitioner is entitled to concession of bail as there is no other case against the petitioner.

In that view of the matter, I make the following order:

ORDER

- (i) CRL. MISC. No.M-35621 OF 2017 is allowed.
- (ii) Bail to the satisfaction of the concerned CJM/Duty Magistrate.

29th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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