

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-16378-2018

Date of decision: 16.07.2018

Arun Thakur

... Petitioner

Vs.

U.T. Chandigarh

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Y.S. Sandhu, Advocate  
for the petitioner.

Ms. Ashima Mor, APP, U.T. Chandigarh.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.497 dated 26.11.2017 under Sections 323, 341, 427, 34 IPC and Section 307 IPC (added later on), registered at Police Station Sector-39, Chandigarh.

Learned counsel for the petitioner submits that initially the FIR was registered under Sections 323, 341, 427, 34 IPC and the petitioner was arrested and thereafter, he was granted regular bail by the trial Court. It is further submitted that later on, on seeking opinion from the doctor, Section 307 IPC was added and the petitioner was re-arrested on 29.03.2018 and since then, he is in judicial custody. Counsel for the petitioner further submits that the petitioner was not named in the FIR and on the basis of disclosure statement of his co-accused, he was implicated in the present FIR.

Learned counsel for the petitioner has further submitted that

challan has already been presented and it will take some time in conclusion of the trial.

Learned counsel appearing for U.T. Chandigarh, on instructions from SI Kulwant Singh, has not disputed the factual position, however, she opposed the prayer for bail on the ground that the petitioner is the main accused, who has caused injuries to the complainant. It is further submitted that challan has already been presented.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial custody since 29.03.2018; he was implicated in the present FIR on the basis of disclosure statement; challan has been presented and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

16.07.2018  
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No