

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

CRM-M-No.16561 of 2018

Date of Decision:30.04.2018

Manpreet Singh

.....PETITIONER

Vs.

U.T. of Chandigarh

.....RESPONDENT

CORAM: HON'BLE MR. AUGUSTINE GEORGE MASIH

Present: Mr.IPS Kohli, Advocate for the petitioner.

Mr.Gautam Dutt, Advocate for U.T.Chandigarh.

AUGUSTINE GEORGE MASIH, J.(Oral)

Prayer in this petition is for grant of regular bail under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.18 dated 14.01.2018 registered at Police Station Sector 39, Chandigarh under Sections 307/326/147/148/149 IPC.

It is the contention of the learned counsel for the petitioner that except for the petitioner being present at the spot, there is no overt act attributed to him, nor has any weapon alleged to have been used on the person of the complainant.

Learned counsel for the Union Territory of Chandigarh could not dispute the factual assertion. He however states that the petitioner was very much present at the spot and was a part of the commission of the offence and, therefore should not be granted the concession of bail.

Having considered the submissions made by learned counsel for the parties and keeping in view the fact that the challan has been presented and the role which has been attributed to the petitioner as mentioned above with he being in custody since 14.01.2018 with 19 witnesses to be examined, and also

the fact that the trial is not likely to conclude in near future, the continuation of the petitioner in custody would not serve any purpose as of now.

In view of the above facts and circumstances, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Duty Magistrate.

Any observations made hereinabove shall have no bearing on the merits of the case during the trial.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

30.04.2018
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No