

CRM-M-26810-2018

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

CRM-M-26810-2018

Date of Decision: 03.07.2018

Shivam

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.V.K.Sandhir, Advocate,
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Shivam has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.61 dated 23.03.2018, registered at Police Station Sadar, Amritsar Rural, under Sections 308, 341, 323, 506, 148 and 149 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that firstly, there is delay of 09 days in recording the FIR. As per the allegations of the prosecution, the present petitioner gave brick blow which hit on the left side of head of

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Ranjit Kumar, nephew of complainant and co-accused Nitin also threw brick from the roof which also hit on the head of Ranjit Kumar. The petitioner was not armed with any deadly weapon and there is also delay of 09 days in recording the FIR.

The petitioner has been in custody since 28.04.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

03.07.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No