

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

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**CRM-M No. 2765 of 2018 (O&M)
Date of Decision: 29.01.2018**

PUNEET SHARMA

.....Petitioner

Vs

U.T.CHANDIGARH

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Archit Gupta, Advocate
for the petitioner.

Mr.Amit Kumar Goyal, Advocate
for U.T.Chandigarh

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.364 dated 20.12.2017, registered under Sections 341, 323, 506 and 34 IPC and Section 308 IPC (added later on) at Police Station Industrial Area, Chandigarh.

The occurrence took place in front of liquor vend
where birthday of complainant Nishu Rishan was being

celebrated by the complainant party. The allegations are that the petitioner along with others also arrived there and there was an altercation between both the groups. Allegations of brick batting were made in which Suraj, Dinesh Mandal, Sanjiv and the complainant allegedly sustained injuries. Atul inflicted brick bat blows to Dinesh Mandal. Petitioner and others surrounded the complainant party and gave brick bat blows to them.

Learned State counsel, on instructions from ASI Parvinder Singh, states that at the very inception, the petitioner was granted bail by the police. However, later on he was arrested when he gave threats to the witnesses.

The injury on the person of Suraj was found to be ultimately attracting offence under Section 308 IPC. The said injury is said to have been inflicted by Atul. At the stage of complicity of the petitioner vis-a-vis the injuries on the person of the complainant would be debatable. Petitioner is in custody since 20.12.2017.

In view of above, without adverting to the merits of the case, it will be just and expedient to grant benefit of regular bail to the petitioner.

Accordingly, this petition is allowed. Let the petitioner be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial

Magistrate/ Duty Magistrate, Chandigarh.

Nothing expressed hereinabove would be construed
to be an expression of any opinion on merits of the case.

January 29, 2018.
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(RAJ MOHAN SINGH)
JUDGE

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