

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

216

**CRM-M No. 35081 of 2018
Decided on: 5.9.2018**

Nasib Chand**.....Petitioner****Versus****State of Punjab****.....Respondent****Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Mr. Anmol Rattan Sidihu, Senior Advocate with
Mr. Deepanjay Sharma, Advocate, for the petitioner

Mr. Hittan Nehra, Addl. AG, Punjab

Rajbir Sehrawat, J.(Oral)

Present petition has been filed under Section 439 of the Cr.P.C. for seeking bail pending trial to the petitioner in FIR No. 37 dated 8.9.2015 under Sections 307, 323, 342, 506, 148 and 149 IPC (Section 302 IPC added later on), registered at Police Station Pojewal, District SAS Nagar.

Learned counsel for the petitioner contends that even as per the case of the prosecution, the petitioner is attributed only simple injury to witness Ravi Kumar, who is the brother of the deceased. However, no injury caused to the deceased, is attributed to the petitioner. It is further contended that the complainant and the alleged eye witness have already been examined. The petitioner is in custody since 9.9.2015 and he is no more required for any investigation purposes. No useful purpose would be served by keeping the petitioner in custody, therefore, he may be enlarged on bail.

On the other hand, learned State counsel being instructed by ASI

Ram Singh, submits that out of 29, 4 witnesses have already been examined. However, he has not disputed the fact that the petitioner is in custody since 9.9.2015 and the main witnesses have been examined.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

5.9.2018

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No