

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

CRM-M-37797-2018 (O&M)
Date of decision : 06.09.2018

Vijay

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ramandeep, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab
assisted by ASI Harmit Lal.

JITENDRA CHAUHAN, J. (Oral)

The instant third petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.128 dated 08.09.2016, registered under Sections 325 and 323 read with Section 34 of the Indian Penal Code, at P.S. Sadar, Fazilka.

Contents that it is a case of version and cross-version. The petitioner is in custody since 15.09.2016. Co-accused, namely, Gori Shankar, who allegedly caused grievous injury, has been admitted to bail by this Court. The complainant already stands examined.

On the other hand, learned State counsel, on instructions, submits that serious injuries were caused to the injured-complainant. When the brother of the complainant was removing him to the hospital, he was again attacked and inflicted injuries by the accused. The trial is in progress and out of nine prosecution witnesses, three have already been examined.

Heard.

The petitioner, a young boy of 22 years, is in custody since

already stands admitted to bail by this Court. Out of nine prosecution witnesses, only three have been examined so far, thus, it can safely be inferred that the trial is not likely to be concluded in the near future. Therefore, this Court feels that no useful purpose would be served while keeping the petitioner in further incarceration.

In view of the above, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.09.2018

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No