

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

**CRM-M No.1434 of 2019
Decided on: 18.01.2019**

Hardeep Singh @ Honey

....Petitioner

Versus

State of U.T., Chandigarh

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Ms. Sukhpreet Kaur, Advocate
for the petitioner.

Mr. Gautam Dutt, APP, U.T., Chandigarh.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.301 dated 10.10.2018, for offence punishable under Sections 147, 148, 149, 323, 307, 506 of the Indian Penal Code, 1860 (in short 'IPC') and 25 of the Arms Act, 1959 (Sections 325 and 326 IPC added later in challan and 25/54/59 of the Arms Act stands deleted), registered at Police Station Mauli Jagran, Chandigarh.

Counsel for the petitioner has submitted that no specific role is attributed to the petitioner and as per the allegations in the FIR, the accused persons gave beatings to the complainant – Jaspal Singh and one of the assailant i.e. Sunny, who was having a country-made pistol, had extended threat to him with dire consequences. It is further stated that though, the FIR is registered under Section 307 IPC, however, as per the opinion of the doctor given in the MLR, injury

No.3 is stated to be grievous and the other injuries are stated to be simple in nature. Counsel for the petitioner has further argued that the investigation is complete, the petitioner is in custody since 10.10.2018, he is not required for further investigation and conclusion of the trial will take some time. It is also submitted that the petitioner is a student and his academic career is at stake.

Counsel for the U.T., Chandigarh, on instructions from Constable Jagbir Singh, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is a student; he is not required for further investigation; he is in custody since 10.10.2018; the investigation is complete and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

18.01.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No