

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

**218**

**CRM-M No.8602 of 2019.  
Date of Decision: 05.03.2019.**

Yusuf

....Petitioner.

Versus

State of Punjab

....Respondent.

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**CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN**

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**Present:** Mr. Ruhani Chadha, Advocate, for  
Mr. Rahul Bhargava, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

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**Shekher Dhawan, J.**

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.188 dated 13.12.2018 under Sections 323, 324, 506, 341, 148, 149 of the Indian Penal Code (Sections 325, 326 IPC added lateron), registered at Police Station Sadar Jalandhar, District Jalandhar.

Learned counsel representing the petitioner contended that the petitioner is in custody since 19.01.2019 whereas co-accused Gaurav alias Gori has been allowed to join the investigation in a petition (CRM-M-2993-2019) for pre-arrest bail, by this Court vide order dated 20.02.2019. Moreso, main injury attracting provisions of Section 326 IPC is not attributed to the present petitioner, but to co-accused Gaurav alias Gori only. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Learned State counsel opposed the prayer for bail on the ground that the petitioner had also inflicted injuries with iron rod on left knee of the complainant and the present petition be dismissed.

Having considered all these aspects and without commenting anything on the merits of the case, at this stage, which may not cause prejudice to any of the party, and the fact that the petitioner is in custody since 19.01.2019 and the main injury is not attributed to the present petitioner, trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Yusuf is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

**(SHEKHER DHAWAN)**  
**JUDGE**

**05.03.2019**  
*jitender*

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No