

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

218

CRM-M-13270-2019
Date of decision: 29.03.2019

Sachin

.....Petitioner

Versus

U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. S.S. Sarwara, Advocate for the petitioner.

Mr. Manish Jain, Addl. Public Prosecutor
for U.T. Chandigarh.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner-Sachin has filed the present petition seeking regular bail in case FIR No.237 dated 13.12.2018 under Sections 147, 148, 149, 307 and 34 IPC registered at Police Station Maloya, Chandigarh.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 14.12.2018 and has been falsely implicated in the case due to old enmity. As per prosecution version, the petitioner was not armed with any weapon and the only role attributed to the petitioner is that he caught hold of the injured Vishal by his arms with his co-accused Kannu while their companion Babrik later declared juvenile inflicted blow with knife on the neck of the injured. Similarly placed co-accused Kannu has been granted bail by the learned Additional Sessions Judge, Chandigarh. The trial is likely to take long time. The petitioner is not involved in any other case. Therefore, the petitioner may be ordered to be released on regular bail.

The petition has been opposed by the learned Additional

Public Prosecutor, who has filed the custody certificate and has argued that the allegations made against the petitioner are serious and the petition may be dismissed.

Keeping in view the facts and circumstances of the case, custody period of the petitioner, the fact that similarly placed co-accused has been granted regular bail and also that trial is likely to take long time, but without expressing any opinion on merits, I consider it to be just and appropriate to extend the concession of bail to the petitioner.

Accordingly, the petition is allowed and the petitioner- Sachin is ordered to be released on bail on his furnishing personal and surety bonds to the satisfaction of the CJM/Illaqua/Duty Magistrate, Chandigarh.

(ARUN KUMAR TYAGI)
JUDGE

29.03.2019

Vinay

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No