

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

**CRM-M No. 13865 of 2019
Date of Decision:-01.04.2019**

Sanjay

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Sanjay has filed the present petition for grant of regular bail pending trial in case FIR No.110 dated 09.11.2018, under Sections 323 and 341 read with Section 34 IPC (Section 308 IPC added later on), registered at Police Station Thermal, District Bathinda.

Learned counsel for the petitioner contends that due to alleged blow on the head, simple injury was caused to the complainant and FIR was registered under Section 323 IPC. Learned counsel for the petitioner contends that on the next day, the offence punishable under Section 308 IPC attempt to commit culpable homicide was added. According to him the investigation is complete and challan stands submitted in the Court. He

submits that further detention of the petitioner may not be justified.

The application is opposed by learned State counsel, who is assisted by SI Vijay Kumar. It is contended that the injury suffered by the victim was declared as dangerous to life by the doctor on 16.11.2018. However, it is not disputed that the investigation of the case is complete and challan has been filed before the Court. It is further conceded that the offence punishable under Section 307 IPC is not contained in the challan under Section 173 Cr.P.C.

Considering the custodial period of the petitioner, status of the case, further detention of the petitioner is not justified. Without commenting anything upon merits of the case and considering the custody and status of the trial, the petitioner, namely, Sanjay is admitted to regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

April 01, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No