

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

219

CRM-M-15110-2019.

Date of Decision: 17.07.2019.

Pankaj Kumar alias Panku

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Tarun Vir Singh Lehal, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner- Pankaj Kumar alias Panku son of Santosh Kumar in case F.I.R. No.132 dated 12.11.2018 under Sections 307, 324, 323, 148, 149 of the Indian Penal Code, registered at Police Station Division No.2, District Pathankot.

Learned counsel representing petitioner contended that the petitioner is in custody since 15.12.2018 and the main injury with '*Sua*' in the stomach of injured was caused by main accused Rahul, who is already in custody. The petitioner has been attributed brickbat blow on the head and the nature of injury was declared to be simple. The trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel affirmed the period of detention of petitioner Pankaj Kumar alias Panku and the fact that main injuries attracting the provisions of Section 307 IPC are attributed to co-accused Rahul, who is in custody.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 15.12.2018 and simple injury with brickbat blow is attributed to the petitioner and the main accused Rahul is already in custody; the trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Pankaj Kumar alias Panku, 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

17.07.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No