

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

**Criminal Misc. No. M-28384 of 2018
Date of decision: 18.01.2019**

Gobinda

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Jagjot Singh Lalli, Advocate,
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Gobinda under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.12 dated 09.01.2018 registered under Sections 324, 506 read with Section 34 IPC and Section 307 added later on at Police Station Maqsudan, Jalandhar.

Learned counsel for the petitioner submits that it is a case of single injury and the petitioner has not repeated injury. The petitioner is brother-in-law of co-accused-Bagga and the dispute between the complainant and co-accused-Bagga is of money. Learned counsel also submits that two co-accused of the petitioner have been released on anticipatory bail. The petitioner is in custody since 12.04.2018 i.e. more than nine months. Out of total nine prosecution witnesses, two witnesses have been examined. No other case is pending against him.

Learned State counsel has not disputed the custody period and release of co-accused on anticipatory bail but has opposed grant of regular

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bail to the petitioner on the ground of seriousness of offence.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner that the petitioner is in custody since 12.04.2018; two co-accused of the petitioner have been released on anticipatory bail; all the material witnesses have been examined including the complainant; trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Gobinda) is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

18.01.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No