

S.No.215

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

CRM-M-17291 of 2019 (O&M)

Date of Decision:29.11.2019

Gautam Bittu @ Gopal @ Gattu

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Pranav Handa, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

Rajbir Sehrawat, J.(Oral)

CRM No.22473 of 2019

Learned counsel for the applicant- petitioner submits that the present application has been rendered infructuous .

Dismissed as infructuous.

CRM-M-17291 of 2019

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.134 dated 21.06.2018 registered under Sections 323, 341, 148, 149 IPC (Sections 307 and 120-B IPC added later on) at Police Station Rama Mandi, Jalandhar, District Police Commissionerate, Jalandhar.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the only allegation is that the petitioner gave datar blow to Rajiv. However, it is not specified as to which injury was caused by the petitioner. Otherwise, the said Rajiv is stated to have 18 injuries, attributed to the petitioner and his co-accused. However, the co-accused of the petitioner have already been released on bail by this Court. The petitioner is

in custody since 13.12.2018. The evidence has already been started. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned State Counsel submits that the petitioner is involved in a heinous crime in which the petitioner and his accomplice caused, as many as, 18 injuries to the injured. However, it is not disputed that the petitioner is in custody since 13.12.2018 and that the persons attributed similar injuries to the same injured, have already been released on bail.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 29, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No