

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

CRM-M-50632-2018

Date of decision:16.01.2019

Naushad @ Bulla

.....Petitioner

Versus

Union Territory Chandigarh

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Mohit Malik, Advocate
for the petitioner.

Mr. Amit Kumar Goyal, APP
for the U.T. Chandigarh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.347 dated 30.08.2018 under Sections 147, 148, 323, 341, 307, 506 of Indian Penal Code, 1860, Police Station Sector-39, Chandigarh.
2. The FIR was lodged at the instance of Ashish Guleria, wherein it has been alleged that on 29.08.2018, when the complainant along with Abhijeet and Gaganpreet had gone to meet Butlaa in order to negotiate a compromise, then Butlaa started causing injuries to Gaganpreet with baseball bat and when Gaganpreet tried to flee away from the spot, other companions of Butlaa followed them and caught the complainant

and caused injuries to him with baseball bat, hockey stick etc. with intention to kill him.

3. Learned counsel has submitted that it is a case of fight amongst two groups of students and that in any case it is not disputed that only simple injuries had been sustained by the complainant and Gaganpreet.
4. Opposing the application, learned State counsel has submitted that in view of the fact that the petitioner is specifically named in the FIR, no ground for bail is made out.
5. Having considered rival contentions addressed before this Court, I find that it is a case where simple injuries had been sustained by the complainant and Gaganpreet. The petitioner as on date has been behind bars since last more than 3 months and challan has also been presented. Since conclusion of trial, in its normal course, is likely to take some time, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
6. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

16.01.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**