

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27547-2019

Date of decision: 08.07.2019

Rinku

... Petitioner

Vs.

U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Prateek Gupta, Advocate
for the petitioner.

Mr. Gautam Dutt, Addl. PP, U.T. Chandigarh.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.357 dated 20.11.2018 under Sections 307, 506, 34 IPC and Sections 25/54/59 of Arms Act, registered at Police Station East Sector-26, Chandigarh.

Learned counsel for the petitioner submits that though the allegations against the petitioner are that he has fired upon the injured person, however, it was a case of sudden fight and there is no previous enmity between the parties. It is further submitted that the petitioner is in judicial custody for the last about 08 months; investigation is complete and challan stands presented.

Learned counsel for the petitioner has relied upon the order dated 08.03.2019 passed in CRM-M-6948-2019, order dated 20.03.2019 passed in CRM-M-11815-2019 and order dated 27.05.2019 passed in CRM-M-14028-2019, vide which co-accused of the petitioner namely Rohit Bhardwaj @

Rimmy, Rajesh Kumar and Arjun Thakur have been granted the concession of regular bail. Learned counsel has also relied upon the order dated 27.05.2019 passed in CRM-M-22853-2019, vide which similarly situated co-accused Chetan Munjal has been granted the concession of regular bail.

On the other hand, learned counsel for U.T. Chandigarh, on instructions from the Investigating Officer, has submitted that the allegations against the petitioner are not similar. As per the FSL report, it was found that the firearm used by the petitioner, has caused injuries to the injured person. However, he has not disputed the fact that challan stands presented in the case and the petitioner is in custody since 01.12.2018.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last about 08 months; challan stands presented and conclusion of the trial will take some time and also in view of the fact that all other co-accused of the petitioner have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.07.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No