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

CRM-M-27707 of 2019

Date of decision: July 24, 2019

Tushar Sharma

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.K. Garg Narwana, Senior Advocate with
Mr. Vishal Garg Narwana, Advocate for the petitioner.

Mr. Deepinder Brar, Addl. P.P. U.T., Chandigarh.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.52 dated 23.05.2019, under Sections 308, 323, 506, 34 of Indian Penal Code, 1860 (for short 'IPC') and Sections 25, 54, 59 of Arms Act, 1959, registered at Police Station Sector 49, Chandigarh.

As per prosecution case, petitioner along with his co-accused who was armed with country made pistol, with an common intention, made an attempt to commit culpable homicide.

Contends that petitioner is in custody since 24.05.2019 and only simple injury has been attributed to him.

The above factual position is duly acknowledged by learned counsel for the respondent-U.T., Chandigarh, on instructions from Sub

Inspector Mohinder Singh.

Heard both sides and perused the paper-book.

Since the investigation is already over and only a simple injury has been attributed to the petitioner, therefore, there is no justification in keeping him behind bars any more. Thus, this Court deems it appropriate to release the petitioner on bail pending trial.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

July 24, 2019

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No