

230.

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

CRM-M-28378-2019

Date of decision:11.07.2019.

PAPPU

... Petitioner

Versus

STATE OF U.T. CHANDIGARH

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Munish Bhardwaj, Advocate,
for the petitioner.

Mr. Karan Sachdeva, Advocate, for
Mr. G.D.S. Wasu, Addl. P.P., U.T., Chandigarh.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.77 dated 02.03.2019 registered under Sections 147/148/149/323/324/326/354-D of IPC at Police Station Sector 31, Chandigarh.

Counsel for the petitioner has argued that the petitioner is a handicapped person and is not able to run or lift any heavy material. The complainant has given an affidavit in favour of the petitioner stating therein that the petitioner is not the person who attacked him on the relevant night. Petitioner is in custody since 12.05.2019.

Learned State counsel has filed the custody certificate of the petitioner in court today, which is taken on record. He does not dispute the custody.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 12.05.2019 and the complainant has given an affidavit that the petitioner is not the person who attacked him on the date of incident, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

11.07.2019
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.