

216

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

CRM-M-28116 of 2019

Date of decision: July 11, 2019

Rahul

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Saurav Khurana, DAG Punjab.

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 to the petitioner, in FIR No.19 dated 29.01.2019, under Sections 323, 324, 326, 307, 451, 452, 506, 148, 149 of Indian Penal Code, 1860, registered at Police Station Division No.6, Jalandhar.

As per prosecution case, petitioner along with co-accused entered the Restaurant and co-accused Sukhwinder @ Sukhi gave knife blows to the complainant.

Contends that petitioner is in custody since 29.01.2019 and after investigation, report under Section 173 of Cr. P.C. was submitted on 10.04.2019 and even the charges have also been framed on 06.07.2019. Also contends that no injury has been attributed to the petitioner and no criminal case is pending against him; and during

investigation, nothing incriminating was recovered from him.

The above factual position is duly acknowledged by learned State counsel, on instructions from Assistant Sub Inspector Balwinder Kumar.

Heard both sides and perused the paper-book.

Since investigation is already over and neither petitioner has been attributed any injury; nor any incriminating material has been recovered from him during investigation; thus, his further incarceration would not serve any useful purpose; as such, this Court deems it appropriate to release him 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 11, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**