

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

**CRM-M No. 33186 of 2019
Date of Decision:-03.09.2019**

Sunny Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. R.S. Bajaj, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Sunny Kumar has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.19 dated 29.1.2019, under Sections 323, 324, 325, 326, 307, 451, 506, 148 and 149 IPC, registered at Police Station Division No.6, Jalandhar.

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

Learned counsel for the petitioner contends that petitioner was not named in the FIR and was indicted as a member of unlawful assembly. According to him the petitioner is in custody since his arrest on 29.1.2019

and the investigation of the case is complete. The final report stands filed on 27.3.2019. It is pointed out that the similarly situated co-accused, namely, Rahul and Ajay Kumar have already been extended the concession of regular bail by this Court vide orders dated 11.7.2019 and 18.7.2019 respectively.

On the other hand, learned State counsel assisted by ASI Ranjit has opposed the prayer. However, it is not disputed that the case of the petitioner is similar to the other co-accused, who have been released on bail. He submits that co-accused Sukhwinder @ Sukhi is the person who caused injuries to the victim.

Considering the above background of the case and the fact that trial will take considerable time, therefore, further detention of the petitioner is not justified. Resultantly, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Jalandhar.

The petition is allowed.

September 03, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No