

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

CRM-M-41296-2019
Date of decision: 18.12.2019

Mintu Mahajan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. R.K. Arya, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 20 dated 26.05.2019, registered under Sections 452, 379, 324, 323, 34 and 326 (added later on) of the IPC at Police Station Behrampur, District Gurdaspur.

Learned counsel for the petitioner submits that it is a case of version and cross-version and in the cross-version, the uncle of the petitioner has received serious injuries.

Learned counsel for the petitioner further submits that petitioner is a first offender and he is not involved in any other case.

It is further submitted that petitioner is in judicial custody since 03.09.2019 and it will take a long time in conclusion of trial as no prosecution witness has been examined so far.

Learned State counsel, on instructions from ASI Kanchan Kishor, has not disputed the factual position and submitted that challan

stands presented; charges have been framed and there are total 35 prosecution witnesses, however, none has been examined so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody since 03.09.2019; it will take some time in conclusion of trial as no prosecution witness has been examined so far and also in view of the fact that it is a case of version and cross-version and it is to be decided during the course of trial as to who was the aggressor party in the incident, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety to the satisfaction of the trial Court/Duty Magistrate concerned.

18.12.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No