

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

**CRM-M No. 46711 of 2019
Date of Decision:-27.11.2019**

Gola alias Mohit Takkar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. G.S. Jagpal, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Gola alias Mohit Takkar has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 101 dated 23.6.2019, under Sections 323, 324, 341, 326, 506, 34 IPC, registered at Police Station Division No.2, District Ludhiana. The petitioner is in custody since his arrest on 04.7.2019.

The FIR was registered on the statement of Ankur @ Anku son of Joginderpal Singh with the allegations that on 22.06.2019, when after lunch he came out for a walk in the street, then there Surinder Mehndi and his friend Gulla along with two other unknown persons, who were armed with khanjar, Dah and dandas attacked on the complainant. They all caused injuries to the complainant and when alarm was raised, all assailants ran away.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the offences are triable by Magistrate and after completion of investigation, challan in the present case has been filed on 30.7.2019 and charges in the case are yet to be framed, therefore, the trial of the case will take long time for completion. He further relies upon the orders dated 28.8.2019 passed in CRM-M-34140-2019 and CRM-M-33586-2019, whereby co-accused Harpreet Singh and Mohit @ Kaka have been granted concession of regular bail by this Court.

On the other hand, learned State counsel, who is assisted by ASI Balwinder Singh opposed the prayer on the ground of seriousness of offence. However, he does not dispute that two co-accused of the petitioner have been granted concession of regular bail by this Court.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be justified. Therefore, 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, Ludhiana.

The petition is allowed.

November 27, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No