

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212

CRM-M-62242-2018 (O&M)

Date of decision : 30.1.2019

Gourav Chawla

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Navkiran Singh, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.141 dated 2.7.2018, registered at Police Station Division No.6, Jalandhar, under Sections 394, 34 IPC and Sections 25, 27 of the Arms Act, 1959 (later on added Sections 411, 201 IPC and provisions of the Arms Act, 1959 was deleted in challan).

Learned counsel for the petitioner submits that the petitioner had been working as a driver with the complainant for more than a year and a half, but he was not named in the FIR. Thus, his involvement in the robbery is doubtful. Further, the petitioner has been custody since 1.9.2018 and the case is still at the commitment stage. Thus, the trial is not likely to be concluded at an early date. The father of the petitioner is suffering from Cancer of the Larynx and is in very poor medical health. The petitioner does not have any criminal antecedents and therefore, he may be released on regular bail.

The State counsel has produced medical certificate dated 25.1.2019 issued by Dr. SK Sharma (Radiation Oncologist), Capitol Hospital, Jalandhar-Pathankot Road, Jalandhar, which corroborates the statement of the counsel for the petitioner that his father is suffering from

Cancer of the Larynx. The other factual submissions made on behalf of the petitioner are not denied. It is, however, submitted that a mobile phone taken in the robbery has been recovered and the person, who had produced the same has implicated the co-accused who has further named the petitioner.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Gourav Chawla, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

30.1.2019
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No