

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

**CRM-M-53090 of 2019
Date of Decision: 18.12.2019**

Vikas Kumar

...Petitioner

Versus

Union Territory, Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Nafees Ahmad Khan, Advocate
for the petitioner.

Mr. Lalit K.Gupta, Addl. P.P.(U.T.), Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 186 dated 10.09.2019 registered under Sections 147, 148, 149, 341, 323, 324, 307, 506, 34 IPC, 1860, at Police Station Sector-36, Chandigarh.

Learned counsel for the petitioner states that as per the FIR, petitioner along with Ravi and other companions had only given beating with sticks, lathis and kick fist blows whereas sword injury on neck have been attributed to Rinku. Learned counsel further states that FIR is against five persons and out of them, one has been exonerated.

On instructions from ASI Ravinder Singh, learned State counsel states that the petitioner is in custody for the last 3 months and 07 days.

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Custody certificate by way of affidavit of Deputy Superintendent, Model Jail, Chandigarh filed by the learned State counsel in the Court today, is taken on record. As per the custody certificate the petitioner has undergone 3 months 07 days. It has been brought to the notice of this Court that out of 11 prosecution witnesses, none has been examined. The trial would take time to conclude.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

18.12.2019
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No