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

CRM-M-3883-2020
Date of decision-04.02.2020

Rajat Gandotra **....Petitioner**

Vs.

State of Punjab **...Respondent**

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.D.Sharma, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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MANOJ BAJAJ, J.

Petitioner-Rajat Gandotra has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.70 dated 30.06.2019 registered under Sections 323, 336, 341, 427, 506, 160 and 148 read with Section 149 of Indian Penal Code, 1860 (Section 307 IPC added later on) and Sections 25 and 27 of Arms Act, 1959 at Police Station Division No.1, Jalandhar.

The FIR in the present case was registered on the information given by secret informer wherein it was stated that Ishu resident of Sava Do Marle,was an auto driver and had a dispute with Sonu resident of Kalia colony, Jalandhar. He accompanied by Vishal, Deepak, Rishabh and Kalu Nepali went to DAV rivulet near railway lines, where Sonu alongwith his accomplices were present. They all were armed with datar and iron rods. Sonu and his accomplices damaged the motorcycles of Ishu and others and after firing, both groups ran away from the spot with their respective weapons.

Learned counsel for the petitioner contends that the allegations

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are made on hearsay material and all the offences are bailable except the offence under Section 307 IPC. He further contends that no person had received injuries in the said occurrence and it is seriously debatable if the offence punishable under Section 307 IPC is made out. He further submits that allegations are false as none of the aggrieved party have lodged the FIR or had given any complaint. He has invited the attention of the Court to Annexure P-6 in respect of co-accused who has already been granted the concession of regular bail. According to him, investigation of the case is complete, therefore, further custody of the petitioner may not be necessary.

On the other hand, learned State counsel assisted by ASI Kulwinder Singh opposed the prayer. However, it is not disputed that co-accused have already been extended the concession of regular bail. It is also not disputed that the investigation of the case is complete.

Considering the above background and the fact that the trial will consume considerable time, this Court does not find any reason to further detain the petitioner, particularly when the investigation of the case is complete. 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 Chief Judicial Magistrate, Jalandhar.

The petition is allowed.

04.02.2020 **(MANOJ BAJAJ)**
vanita **JUDGE**

Whether speaking/reasoned : Yes No
Whether Reportable : Yes No

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