

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

**CRM-M-11130 of 2020
Date of Decision: 08.06.2020.**

Naresh @ Lucky Gujjar

....Petitioner

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. J. S. Jaidka, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Naresh @ Lucky Gujjar** in case F.I.R. No.48 dated 11.04.2019 under Sections 148, 323, 341 and 506 IPC read with Sections 34 and 149 IPC (Sections 325 and 308 IPC added lateron) registered at Police Station Jodhewal, District Police Commissionerate, Ludhiana.

Reply alongwith custody certificate furnished on behalf of respondent-State are taken on record.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that injury on left ear of injured-Balwinder Singh has been

attributed to co-accused Buta Singh, whereas grievous injury on right leg of injured-Pritam Singh has been attributed to co-accused Jaspreet Singh. He further submits that injuries allegedly attributed to petitioners have been declared simple in nature. He further submits that petitioner is in custody since 13.12.2019 and he is no more required by the Police for any investigation purpose. He further urges that challan has been presented in Court and since consequent trial would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 13.12.2019; that petitioner is no more required by the Investigating Agency for investigation purpose and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Naresh @ Lucky Gujjar** is allowed and he is

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ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 but he is directed to furnish the surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

08.06.2020

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