

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

208

**CRM-M-13404-2020
Date of decision: 18.06.2020**

Raja Giri

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. D.A.G., Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C.") for grant of regular bail in case FIR No.185 dated 02.09.2019 registered under Sections 307, 326, 341, 324, 323, 506, 379B, 427, 148 and 149 of the Indian Penal Code, 1860 (for short, "IPC") at Police Station Haibowal, District Ludhiana.

The petitioner being in custody since the date of his arrest on 16.09.2019 has filed the present petition for grant of regular bail.

Pursuant to supply of advance copy learned State counsel has put in appearance and opposed the bail petition in terms of status report by way of affidavit of Sameer Verma, PPS, Assistant Commissioner of Police, Ludhiana West filed on behalf of the respondent-State through e-mail print out of which is taken on record.

I have heard learned counsel for the petitioner and learned State counsel and gone through the relevant record.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the case. Injury inflicted with sharp edged weapon on the left arm of Sunny @ Pabbi, which was opined to be grievous but not dangerous to life, is attributed to co-accused Harsh Gupta. Injury allegedly caused by the petitioner was declared to be simple. Co-accused Harsh Gupta has been granted regular bail by this Court vide order dated 26.02.2020 passed in CRM-M-5555-2020. The petitioner is in custody since 16.09.2019. The trial is likely to take long time and no useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has submitted that the petitioner is accused of having committed heinous offences and does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, role attributed to the petitioner, parity of the case of the petitioner with that of his co-accused Harsh Gupta who has been granted regular bail by this Court vide order dated 26.02.2020 and the fact that the trial is likely to take long time but without meaning to comment on merits, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is

ordered to be released on bail on furnishing of personal bond with bond of one surety to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.06.2020

(ARUN KUMAR TYAGI)

Vinay

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No