

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

Sr. No.208

CRM-M-16295-2020

DATE OF DECISION: 17.09.2020

YADWINDER SINGH @ YADU

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Pushpinder Kaushal, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 149 dated 14.12.2019 registered at Police Station Payal, Police District Khanna, District Ludhiana under Sections 323, 324, 325, 326, 307, 506, 148, 149 IPC (Sections 341, 120-B & 201 IPC added later on) and Section 25/27 of Arms Act, 1959.

Learned counsel for the petitioner submits that the challan has been presented but the case has not yet been committed. Thus, the trial is not likely to be concluded at an early date. The petitioner has been in custody for over 08 months. According to the challan, the petitioner has allegedly inflicted an injury from the reverse side of a '*gandasa*' in between elbow and wrist causing a fracture. No '*gandasa*' has been recovered from the petitioner and thus, false implication cannot be ruled out. Under the circumstances, the petitioner may be granted regular bail.

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Reply has been submitted in Court. The same is taken on record.

Custody certificate dated 17.09.2020 has been presented in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 08 months and 03 days and there are two other criminal cases pending against him.

Learned State counsel opposes the prayer for bail on the ground of pendency of two other criminal cases.

In response, learned counsel for the petitioner submits that the petitioner is on bail in the said two cases and the factum is recorded in the custody certificate itself.

From the aforementioned facts, it is evident that the trial is not likely to be concluded at an early date. The petitioner has been in custody for 08 months and 03 days and is on bail in the other pending two cases. No useful purpose would be served by keeping him in custody indefinitely. Thus, I deem it appropriate to grant him regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

17.09.2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No