

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
206 (PROCEEDINGS TRHOUGH V.C.)

CRM-M-20218-2020

Date of decision: 17.08.2020

NANDU CHAUHAN

...PETITIONER

V/S

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Amandeep Singh Rai, Advocate,
for the petitioner.

Mr. Saurabh Khurana, DAG, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail in case FIR No. 205 dated 19.09.2018 under Sections 302, 323, 148, 149, 120-B IPC, registered at Police Station Jamalpur, Ludhiana.

It is the contention of the learned counsel for the petitioner that the injury, which has been attributed to the petitioner, is although on the face with a stick but the same has been declared as simple. He contends that no other injury has been attributed to the petitioner. Assertion has also been made that the co-accused of the petitioner, namely, Gurwinder Singh, Indrason, Sanjay Chauhan and Upinder Chauhan have been granted the concession of bail in CRM-M-28469-2019 (Annexure P-3), CRM-M-38146-2019 (Annexure P-4), CRM-M-31116-2019 (Annexure P-5) and CRM-M-17056-2020 (Annexure P-6) respectively. Petitioner was arrested on 17.07.2019 and is in custody for more than one year. Although charge has been framed but not a single witness has been examined till date. The

trial is not likely to conclude in near future and, therefore, the petitioner be granted the concession of bail.

Learned counsel for the State could not dispute the factual submissions as have been made by the counsel for the petitioner. He, however, states that the petitioner has inflicted an injury on the face and further one person has lost his life. He, therefore, prays that the petitioner be not granted the concession of bail.

Having considered the submissions made by the learned counsel for the parties and keeping in view the fact that simple injury has been attributed to the petitioner with more than one year having passed since his arrest with the trial not likely to conclude in near future as no witness has been examined till date, the present petition is allowed.

Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner.

August 17, 2020

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No