

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

**CRM-12905-2020 in/and
CRM-M-22254-2019**
Date of Decision: 12.6.2020

Rajbir

.....Petitioner

Versus

UT Chandigarh

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. P.S. Ahluwalia, Advocate, for the petitioner.

Mr.Rajiv Vij, Additional Public Prosecutor, UT, Chandigarh.

NIRMALJIT KAUR, J. (Oral)

CRM-12905-2020

For the reasons mentioned in the application, the same is allowed. Date of hearing in the main petition is preponed from 13.7.2020 to today itself.

CRM-M-22254-2019

The present petition is filed under Section 439 Cr.P.C. seeking grant of regular bail in FIR No.2 dated 5.1.2019 under Sections 353 and 307 of IPC at Police Station Sector-31, Chandigarh.

While praying for allowing the bail application, learned counsel for the petitioner submitted that no one has been injured and the only case of the prosecution itself is that he was driving rashly. In spite of this, the petitioner is in custody for the last one year and five months for an offence under Section 307 IPC, which is not even made out.

Learned counsel for the respondent-State while opposing the bail application submitted that the matter is now fixed for prosecution evidence and five witnesses have already been examined but their cross-

examination is pending.

After perusal of the FIR and allegations of rash driving, it is doubtful as to whether Section 307 IPC is made out. It is a case of no injury and the petitioner is in custody for the last one year and five months.

In view of the above, this Court deems it proper to release the petitioner on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

The petition stands disposed of.

**(NIRMALJIT KAUR)
JUDGE**

12.6.2020
sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No