

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

**Sr. No.109**

**CRM-M-11281-2021**

**Date of decision: 25.05.2021**

Chetan Gill

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

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

Mr. Amit Mehta, Sr. DAG, Punjab.

Mr. B.S. Sidhu, Advocate  
for the complainant.

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**DEEPAK SIBAL, J. (Oral)**

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.196 dated 13.11.2020 registered under Sections 307, 323, 324, 148, 149 IPC at Police Station Cantt. Jalandhar.

Briefly stated, the case of the prosecution is that Lally Dosanjh and Bharat Atwal @ Jolly attacked the complainant's husband and inflicted injuries upon him with the weapons that they were carrying. The petitioner alongwith others was a part of the unlawful assembly which included the aforesaid Lally Dosanjh and Bharat Atwal @ Jolly.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and as an afterthought was only named in the supplementary statement of the complainant; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, there is no specific injury attributed to the petitioner; co-accused Bharat Atwal @ Jolly, who has been attributed specific injuries on the complainant's husband has been granted regular bail by this Court; the petitioner has been in custody since 29.12.2020; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to

influence the investigation and that the petitioner's trial which is yet to begin is likely to take a long time to conclude.

Learned State counsel as also counsel for the complainant sought dismissal of the present petition on the ground that the petitioner was part of the unlawful assembly which attempted to murder the complainant's husband.

The petitioner has been in custody since 29.12.2020; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation; no specific injury is attributed to the petitioner; co-accused Bharat Atwal @ Jolly who has been attributed specific injuries on the complainant's husband has been granted regular bail by this Court and that the petitioner's trial which is yet to begin is likely to take a long time to conclude.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jalandhar, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

**(DEEPAK SIBAL)**  
**JUDGE**

**May 25, 2021**  
*Jyoti 1*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |