

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

-.-

CRM-M No.12932 of 2021 (O&M)

DATE OF DECISION: 29.10.2021

Sahil Kalra @ Gaggu

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Satbir Singh Gill, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab

ALKA SARIN, J. (Oral):

Heard through video conferencing.

This is the second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.86 dated 07.04.2020 under Section 307/324/326/188/269/148/149 of the Indian Penal Code, 1860 (in short 'IPC') (Challan report presented under Sections 307/326/325/324/323/188/269/120-B/34 IPC) registered at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner would contend that the first bail petition being CRM-M No.22699 of 2020 was dismissed as withdrawn on 08.01.2021. Learned counsel would further contend that despite the challan having been presented on 06.7.2020, till date even the charges have not been framed. Learned counsel has further contended that injury No.1 was declared to be dangerous to life, however, the same has been attributed to the co-accused and not to the present petitioner.

Learned State counsel has referred to the status report filed by way of affidavit dated 25.10.2021 of Jaspal Singh Dhillon, PPS, Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib wherein it has also been stated that injury No.1 was declared dangerous to life and injuries No.5, 6, 7 and 8 were declared grievous by the doctor and it is injury No.5 which has been attributed to the present petitioner.

Heard.

Without commenting upon the merits of the case and in view of the fact that the challan was filed way-back on 06.07.2020 and even the charges have not been framed till date and also the fact that the injury declared as dangerous to life is not attributed to the present petitioner, I deem this to be a fit case for grant of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

October 29, 2021
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(ALKA SARIN)
JUDGE

NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO