

CRM-M-27047-2021

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

CRM-M-27047-2021

Date of decision: 22.07.2021

Joginder

...Petitioner

Versus

U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Balwinder Singh, Advocate,
for the petitioner.

Mr. C.S.Bakshi, Addl. P.P. U. T. Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.49 dated 08.05.2021, registered at Police Station Maloya, Chandigarh, under Sections 147, 148, 149, 323, 341 and 506 IPC and Sections 325 and 307 IPC (added subsequently).

Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor was attributed any specific role; that co-accused, namely, Gattu and Billa had inflicted injuries with bricks on the heads of the complainant and his father; that the petitioner has been in custody since 16.06.2021, that similarly situated co-accused, Balraj stands granted *ad interim* pre-arrest bail by this Court, vide order dated 15.07.2021 passed by this Court in CRM-M-27186-2021, and that there is no other case pending or registered against the petitioner. On this premise,

CRM-M-27047-2021

learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the submissions of the learned counsel for the petitioner, submits that the petitioner had caused injuries to the complainant and his father. However, he does not dispute that the role attributed to the petitioner is at par with co-accused, Balraj, who stands granted the *ad interim* anticipatory bail.

I have heard the learned counsel for the parties.

The petitioner is not named in the FIR. Co-accused, Balraj stands granted the *ad interim* pre-arrest bail, as noticed above. There is no other case pending or registered against the petitioner. The petitioner has been in custody since 16.06.2021. Trial is unlikely to conclude any time soon, especially due to Covid-19. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

22.07.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No