

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

THROUGH VIDEO CONFERENCING

CRM-M-28423 of 2021

Date of Decision: 1.12.2021

Lokesh

....Petitioner

VERSUS

State of U.T., Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Parampreet Singh Paul, Addl. PP, UT, Chandigarh.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.29 dated 4.3.2021 registered for the offences punishable under Sections 308, 506, 34 of Indian Penal Code (for short, "IPC") at Police Station West, Sector 11, Chandigarh.

Counsel for the petitioner states that the petitioner has been falsely implicated in this case and that even otherwise the petitioner was arrested on 4.3.2021 and since then he is languishing in jail. It is further contended that the investigation of the case has been concluded and now the case is fixed for prosecution evidence. He prays for grant of regular bail to the petitioner.

The present petition has been contested by the State on the ground that serious allegations are there on the record against the petitioner.

However, learned State counsel admitted the fact that on presentation of

challan, charge has been framed and both complainant and injured have been examined.

I have considered the submissions made by the counsel for both the parties.

As per the allegations in the FIR, the petitioner along with Ajay and Raju caused injuries to Sunny and Ombir with different weapons on 3.3.2021. Two of the injuries on the person of Ombir were found to be grievous in nature. Admittedly, the petitioner was arrested in the present case on 4.3.2021 and since then he is in custody. As per learned State counsel, the trial is going on and material witnesses i.e. complainant and the injured have been examined and in all, 6 prosecution witnesses have been examined out of total 16 PWs. No specific injury has been attributed to the petitioner. Both the injured have already been discharged from the hospital. It will take time for conclusion of the trial.

So, I am of the view that no purpose will be served even if the petitioner is kept behind the bars for any longer period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

December 1, 2021

Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No