

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

217

**CRM-M-35926-2021
Decided on : 18.11.2021**

Sonu

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Baldev Singh Maan, Advocate
for the petitioner.

Mr. Charanjit Singh Bakshi, Addl. PP, U.T., Chandigarh.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 439 of the Criminal Procedure Code, 1973 for grant of regular bail to the petitioner in FIR No. 149 dated 19.07.2020 under Sections 323, 341, 506 and 34 IPC, 1860 (Section 326 of IPC added later on) registered at Police Station Sector-31, Chandigarh.

Learned counsel for the petitioner has submitted that the present petitioner is a young boy of 19 years of age and has never been involved in any other case except the present case and has submitted that even as per the prosecution, no specific injury has been attributed to the petitioner and the present petitioner has been in custody since 23.06.2021 i.e. 4 months and 27 days and the challan in the present case has already been filed and there are 13 witnesses out

of which 11 witnesses are yet to be examined and thus, the trial is likely to take time moreso, in view of the present pandemic situation.

Learned State counsel has opposed the present application for regular bail and has submitted that the petitioner alongwith other co-accused had participated in the occurrence in which injuries were caused by the co-accused to the complainant. Learned State counsel has also placed on record the custody certificate of the petitioner as per which the period as mentioned by learned counsel for the petitioner stands verified.

Keeping in view the above said facts and circumstances, moreso, the fact that no specific injury has been attributed to the petitioner and the petitioner is not involved in any other case and the petitioner has been in custody since 23.06.2021 i.e. 4 months and 27 days and the challan has been presented and out of 13 witnesses, only 2 have been examined and thus, the trial is likely to take time, moreso in view of the present pandemic situation, this Court deems it appropriate to allow the present petition and order for release of the petitioner.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to his not being required in any other case.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

18th November, 2021
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No