

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

CRM-M-38978-2021

DECIDED ON: 23rd September, 2021

Sohaib

.....PETITIONER

VERSUS

U.T. Chandigarh

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Satyaveer Singh, Advocate for petitioner.

Mr. A.M. Punchhi, PP for UT Chandigarh with
Mr. Anupam Bansal, APP for UT Chandigarh.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 104 dated 17.5.2020, under Section 307, 34 IPC, registered at Police Station Industrial Area, Chandigarh.

The FIR was registered at the statement of Wasim Ahmad. As per the allegations on 17.5.2020 when the complainant reached near Akash Karyana Store, Sector 29, Sohaib along with another person caught the complainant and started giving slaps and fist blows by saying that the complainant has told the father of his girl friend about him. On raising alarm inhabitant of the colony saved the complainant. After the incident complainant called his brother Asif who came on Aactiva. When they were going back Sohaib (petitioner) and Ajay @ Jadu stopped them in Sector-29 itself. Petitioner caught hold of Asif and Ajay @ Jadu gave knife blow to Asif. The blows were given on his neck and stomach. The complainant also sustained

The petitioner had earlier filed a petition seeking regular bail which was dismissed as withdrawn on 15.2.2021.

Learned counsel for the petitioner argues that no injury is attributed to the petitioner. Investigation is complete. Charges have been framed and no prosecution witness has been examined.

Learned counsel appearing for UT Chandigarh opposes the prayer for grant of bail. He submits that the allegations are serious. Knife blows were inflicted by the co-accused on the vital organ. The petitioner hold Asif from back facilitating the co-accused to give knife blow. He further submits that victim and complainant are yet to be examined.

Considering the nature and gravity of allegations, custody period alone cannot be a ground to grant bail. The contention that the petitioner was not attributed any specific injury does not enhance the case of the petitioner for grant of bail. Petitioner held Asif from the back side and only then the co-accused inflicted knife blow.

No case is made out for grant of bail.

Dismissed.

23rd September, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*

Whether reportable *Yes*