

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

(Heard through VC)

CRM-M-40905 of 2020 (O&M)
Date of Decision: April 20, 2021

Ashray Kuthiala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Munish Puri, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, AAG Punjab.

Mr. Amit Jhanji, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No.241 dated
23.11.2020, under Sections 307, 326, 324, 323, 120-B, 148, 149 of Indian
Penal Code, registered at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioner herein would contend that
only simple injuries have been attributed to the petitioner and he has been in

custody for more than one and a half month. It is also argued that the petitioner is suffering from acute diabetic and on account of this, he is likely to be effected with the coronavirus, which is rampant in the jails. It is argued that his sister has already been allowed regular bail by this court on 05.04.2021. It is also submitted that challan stands presented and it will take sufficient time to conclude the trial, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Ramesh Kumar as well as counsel for the complainant oppose the grant of regular bail to the petitioner, while submitting that there are serious allegations that have been levelled against the petitioner. However, learned State counsel does not dispute the fact that challan stands presented in the matter.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody for last one and a half month, investigation is complete as the challan already stands presented and it will take sufficient time to conclude the trial, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the

purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

April 20, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

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