

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

THROUGH VIDEO CONFERENCING

CRM-M-49858-2021

Date of Decision: 2.12.2021

Manish @ Rohit @ Beeri

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Raj Kumar Arya, Advocate
for the petitioner.

Mr. A.S.Dhaliwal, DAG, Punjab

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.118 dated 31.8.2021 registered for the offences punishable under Sections 307, 324, 34 of Indian Penal Code (for short, "IPC") at Police Station Division No.1, District Pathankot.

Notice of the present petition was given to the State.

Counsel for the petitioner submitted that as per allegations in the FIR, no injury was caused by the petitioner to anyone. It is further contended that the petitioner was arrested in this case and is lodged in judicial custody since 24.10.2021 and is not required by the police any more as on completion of investigation, challan has been presented in the Court concerned. It is further contended that co-accused namely Varun Kumar who is similarly situated has been granted interim anticipatory bail by this

On the other hand, counsel for the State has opposed the prayer for grant of regular bail. He contended that the petitioner and other persons attacked Jot Pal Singh and at the time of occurrence, co-accused Fakir Chand @ Fakiru gave kirch blows to Jot Pal Singh. He prays for dismissal of the present petition.

I have considered the submissions made by both the counsel.

Main accused-Fakir Chand @ Fakiru who gave kirch blows to Jot Pal Singh has been arrested. After completion of investigation, challan has been presented against the petitioner and Fakir Chand @ Fakiru and one another accused. No specific injury has been attributed to the petitioner. His co-accused namely Varun Kumar who is also facing similar allegations has been granted interim anticipatory bail by this Court today itself. Counsel for the State on instructions from ASI Sunil Kumar has stated that injured Jot Pal Singh has already been discharged from the hospital in a satisfactory condition.

In view of above as it will take considerable time for disposal of the trial, I am of the view that no purpose will be served by detaining the petitioner in custody for any longer period.

Thus, 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 2, 2021

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No