

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

213

CRM-M-1512-2022

Date of decision: 07.03.2022

YUVRAJ

.....Petitioner

Versus

STATE OF U.T. CHANDIGARH

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Govind Goyal, Advocate
for Mr. Rahul Rana, Advocate
for the petitioner.

Mr. Deepinder Brar, Addl. P.P., U.T., Chandigarh
for the respondent-State.

SANT PARKASH, J. (ORAL)

*(The case has been taken up for hearing through video
conferencing.)*

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No. 154 dated 24.09.2021 registered under Sections 308, 109, 332, 353 and 333 of the Indian Penal Code, 1860 at Police Station South Sector 34, Chandigarh.

In compliance to order dated 20.01.2022, report of the learned trial Court has been received which is taken on record. As per the report, out of 7 prosecution witnesses, 4 witnesses have been examined.

As per the prosecution version, the petitioner along with his co-accused was driving the motorcycle and coming from the wrong side had deliberately caused the accident with an intention to kill the police official on duty. The role attributed to the petitioner was that when the police official on duty signaled him (petitioner) to stop the motorcycle then he didn't stop and tried to ran away and in the process he deliberately hit the police official who sustained serious injuries.

The petition has been opposed by learned State Counsel. However, no reply has been filed on behalf of respondent-State.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. The injuries sustained in the accident cannot be classified as grievous in nature. Challan in the present case has already been filed. The trial is likely to take long time. The petitioner is in custody since 29.09.2021. Co-accused of the petitioner namely Chirag Rana who was pillion ridder of the motorcycle driven by the petitioner has already been granted the concession of regular bail by this Court vide order dated 02.02.2022. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has submitted that the petitioner along with his co-accused of having committed serious offences. In view of the nature of accusation and gravity of the offences, the petitioner does not deserve grant of regular bail.

Therefore, the petition may be dismissed.

Having considered the facts and circumstances of the case, the period of custody undergone by the petitioner in this case, custodial interrogation of the petitioner not required, co-accused Chirag Rana has already been granted the concession of regular bail and the fact that trial is likely to take long time but without expressing any opinion on the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

07.03.2022

kavneet singh

**(SANT PARKASH)
JUDGE**

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