

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5912-2022
Date of Decision: 17.02.2022

Ravi Kumar @ Romey

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vishal Sharma, Advocate, for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.136 dated 01.09.2021, under Sections 323, 324, 307, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Division No.2, Pathankot, Punjab.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 15.11.2021 and investigation of the case has already been completed and challan has been presented before the competent Court on 12.02.2022 and now it is fixed for framing of the charges. He further submitted that the petitioner has been fasely implicated in the present case and even otherwise, as per the allegation the role attributable to the petitioner was giving a datar blow on the left hand which is on the non-vital part of the body. He further submitted that the petitioner is not

involved in any other case and has clean antecedents and since the investigation of the case has already been completed and no recovery is to be effected from the petitioner and the trial of the case would take long time, he may be granted the concession of regular bail.

On the other hand, Mr. Hittan Nehra, learned Additional Advocate General, Punjab has filed custody certificate in the present case which shows that the petitioner is not involved in any other case and the petitioner is in custody for the last three months. He further submitted that the investigation of the case has been completed and during investigation a datar was recovered from the petitioner. He further submitted that now the investigation has been completed and no further recovery is to be effected from the petitioner. He further submitted that there are two injuries attributable to the petitioner and both of them are grievous in nature.

I have heard the learned counsel for the parties.

The petitioner is in custody from 15.11.2021 and as per the learned counsel for the parties and as per the custody certificate, the petitioner is not involved in any other case and has clean antecedents. The investigation of the case is already complete and as per the learned State counsel no further recovery is to be effected from the petitioner. The trial of the case would take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper evidence or may flee from justice.

Therefore, without commenting on the merit of the case and considering the totality of circumstance, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate

concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

17.02.2022

(JASGURPREET SINGH PURI)
JUDGE

rakesh

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