

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

225

CRM-M-6482-2022 (O&M)

Date of Decision: 19.07.2022

MIDO

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

The petitioner has filed this petition seeking regular bail in case bearing FIR No.152 dated 26.12.2021, registered under Sections 307, 323, 148 and 149 IPC, at Police Station Division No.1, Jalandhar.

Learned counsel for the petitioner submits that the petitioner was not named as an accused; that no injury has been attributed to the petitioner; that injured, namely, Nanak Ram, has been in Coma and that the petitioner and the co-accused, have been granted the concession of interim regular bail, till the time statement of the injured is recorded before the trial Court. He further submits that the injury attracting Section 307 IPC, has been attributed to the co-accused, who has already been granted the concession of bail and that the petitioner has been in custody since 26.12.2021.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that, the petitioner along with the co-accused have inflicted injuries on the person of the injured. He further submits that prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 26.12.2021. No specific injury has been attributed to the petitioner. Injury attracting Section 307 IPC has been attributed to the co-accused, who has already been enlarged on bail. The petitioner has already been granted the concession of interim regular bail by a Coordinate Bench of this Court, vide order dated 21.02.2022. Prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the order dated 21.02.2022 granting interim regular bail to the petitioner is made absolute.

19.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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