

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

CRM-M-7029-2022

Date of Decision:-28.02.2022

Raman.

.....Petitioner.

Versus

State of U.T., Chandigarh.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Promila Nain, Advocate for the Petitioner.

Mr. Parampreet Singh Paul, APP, U.T., Chandigarh
for respondent-U.T., Chandigarh.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.52 dated 29.05.2021 under Sections 147, 148, 149, 323, 324, 325, 326, 506 and 427 IPC registered with Police Station IT Park, Manimajra, Chandigarh.

On 23.02.2022 following order was passed:-

“ *Case heard via video conferencing.*

Adjourned to 28.02.2022.

Learned Addl. P.P., U.T., would take specific instructions as to what has been attributed to the petitioner because as per his instructions a danda was recovered from him but with the FIR stating that the petitioner attacked the

complainant with a sword.

It is to be noticed however that learned counsel for the petitioner has submitted that the petitioner has suffered a fracture in his leg and 80 stitches on his head.

Consequently, learned Addl. P.P., U.T. would obtain all MLRs in respect of all persons injured in the occurrence, whether on the side of the complainant or the accused in the FIR, and produce them in court on the next date of hearing.

Adjourned to 28.02.2022. ”

Today Counsel for the respondent-U.T., Chandigarh states that Ajay co-accused of the petitioner is the main accused having been attributed the injury attracting Section 326 IPC. So far as the present petitioner is concerned, there is no specific injury attributed to him on either complainant injured Ravi, Geeta, Sunita or Krishan. The Counsel for the petitioner has also stated that petitioner has suffered a fracture in his leg and has received 80 stitches on his head and it is a case of version and cross version.

Given the fact that the petitioner is not the main accused and has not been attributed any specific injury and he himself received injuries in the occurrence, the further incarceration is as such not warranted. The petitioner is in custody since 23.11.2021.

Therefore, without commenting upon the merits of the case, keeping in view the custody period, role of the petitioner and the fact that the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner **Raman** is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, Chandigarh.

It is further made clear that if petitioner indulges in similar

offences for which he is currently charged, the State would be at liberty to move an application for cancellation of bail.

(JASJIT SINGH BEDI)
JUDGE

February 28, 2022
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>