

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-15075-2022 (O & M)
Date of Decision: April 20, 2022**

SUMIT KUMAR

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Harinder Singh Aujla, Advocate for the petitioner.

Mr. Abhinav Gupta, Addl. PP for U.T. Chandigarh.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.20 dated 06.03.2019, under Sections 147, 148, 149, 452, 302, 307, 120-B IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Sector-49, Chandigarh.

Learned counsel for the petitioner contends that it is alleged that the petitioner had given a 'danda' blow to one of the injured, which was found to be simple in nature. No injury is attributed to the petitioner on the deceased. The motive is attributed to co-accused Amandeep Nehra @ Bachhi, who has been granted bail by the Coordinate Bench of this Court in CRM-M-14696-2020 on 17.03.2022. He also contends that co-accused Sushil Kumar, who had also caused an injury to one of the injured, has also been granted bail by the Coordinate Bench of this Court on 17.03.2022. The petitioner was a second year student undergoing the course of B.A. and while in jail, he has cleared 03 semesters. He had been on interim bail to enable him to take the examination and had promptly surrendered on its expiry. He is not involved in any other case and is in custody for over 03 years.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 03 years and 11 days. He upon instructions from ASI Hakikat Rai states that 08 out of 34 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 03 years, co-accused have been granted bail, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

April 20, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No