

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

235-A

CRM-M-15921-2022 (O&M)

Date of Decision: 15.07.2022

SONU @ KHALNAYAK

... Petitioner

Versus

STATE OF U T, CHANDIGARH

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Devender Arya, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, APP UT Chandigarh.

Mr. Tapish Kumar Gupta, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.124 dated 21.10.2021, registered under Sections 324, 307 and 34 IPC, at Police Station Mauli Jagran, District Chandigarh.

Learned counsel for the petitioner submits that no injury has been attributed to the petitioner; that the petitioner had only been shown present at the spot; that all the three injuries on the person of the injured have been attributed to co-accused, namely, Gurjant Singh @ Noni, who has already been granted the concession of bail by this Court and that the petitioner has been in custody for the last more than eight months. He further submits that now a compromise has been effected between the parties.

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. She, however, submits that the petitioner had actively participated in the occurrence and post presentation of the challan, charges are yet to be framed.

Learned counsel for the complainant does not dispute the factum of compromise effected between the parties.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than eight months. No injury has been attributed to the petitioner. Compromise has been effected between the parties. Co-accused, to whom all the injuries have been attributed, has already been enlarged on bail. Charges are yet to be framed. 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 petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

15.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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