

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

CRM-M-19276 of 2022(O&M)

Date of Decision: 13.05.2022

Faqir Chand

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Ajay Pal Singh Rehan, Advocate
For the petitioner.**

Ms. Jaspreet Kaur, AAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 118 dated 31.08.2021, registered under Sections 307, 324 read with Section 34 of IPC, Police Station Division No.1, District Pathankot.

Counsel for the petitioner contends that the petitioner is in custody since 31.08.2021 and is not required by the police, as trial is going on and material witnesses have already been examined. So, a prayer is made for releasing the petitioner on bail.

Present petition is opposed by State counsel, who has put in appearance on service of advance copy of petition. She submits that petitioner is the main accused who attacked complainant Sahil and Jyotpal Singh and caused injuries to them with the help of *kirch*. However, the custody period and the fact that complainant/ injured have already been examined, has not been refuted by State counsel.

As per allegations in the FIR, on 30.08.2021 an altercation took place between the complainant party on the one side and the petitioner and his companions on the other hand. The petitioner gave *kirch* blows to Sahil and his friend Jyotpal. As has been apprised to the Court by the State counsel complainant Sahil and injured Jyotpal have already been examined by the trial Court. However, it will take time for culmination of trial. The injured have already been discharged from the hospital. In these circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.05.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**