

CRM-M-22266-2022

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

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Date of decision: 04.08.2022

Umang Sharma

...Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr.S.S.Pandit, Advocate,
for the petitioner.

Mr. Abhinav Gupta, Addl. P.P. U.T. Chandigarh.

Mr. Rohit Kaushik, Advocate,
for injured-Manish Verma.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.19 dated 08.02.2022, registered at Police Station East Sector 26, Chandigarh, under Section 307 IPC.

Learned counsel for the petitioner contends that the above-noted FIR was got registered by one Arun Verma, brother of injured-Manish Verma; that injured-Manish Verma, while appearing before the trial Court as PW 1, has not supported the prosecution version and has been declared hostile. In his statement recorded before the trial Court, PW 1 Manish Verma-injured specifically stated that when he alongwith the petitioner was standing by the road side, then 5-7 persons had attacked upon him; that one of the assailants had given a knife blow on his (Manish

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Verma) abdomen, and that it was the petitioner, who had taken him (Manish Verma) to Civil Dispensary, Manimajra from where he had been referred to PGI, Chandigarh.

Learned counsel for the petitioner further contends that the petitioner has been in custody since 09.02.2022 and that the prosecution witnesses are yet to be examined. In such circumstances, trial of the case would take time to conclude. On this premise, learned counsel prays for the grant of bail to the petitioner.

On the other hand, learned Addl. P.P. U.T. Chandigarh, while opposing the grant of bail to the petitioner, submits that as per the contents of FIR, the petitioner had given stab wound in the lower abdomen of the injured; that the petitioner had also got recovered the weapon, and that as per the CFSL report, the blood stains on the weapon has matched with that of the injured. However, he does not dispute the fact that injured, while appearing before the trial Court as PW 1, has not supported the prosecution version.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.02.2022. Moreover, injured-Manish Verma, while appearing before the trial Court as PW 1, has not supported the prosecution version and has been declared hostile. Remaining prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is

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allowed and the petitioner is ordered to be released on bail on his
furnishing bail and surety bonds to the satisfaction of the learned trial
Court/Duty Magistrate.

04.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No