

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

CRM-M-24974-2022
Date of Decision:-08.07.2022

ROHIT

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Aman Dhir, Advocate for
Mr. Arihant Jain, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Mr. Fariad Singh Virk, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record.

Prayer is for grant of regular bail in case having FIR No.46 dated 19.3.2022 registered under Sections 341, 323, 324, 506, 34 IPC (later on Section 326 IPC was added) at Police Station Civil Lines, District Patiala.

The counsel for the petitioner contends that the petitioner aged about 19 years has been falsely implicated in the present case. The counsel further contends that as per the allegations appearing on the record, the petitioner gave knife blow on the right bicep of the complainant and the said injury was declared as grievous in nature. The counsel further contends that the petitioner, who was arrested during investigation of the case is presently lodged in the judicial custody and that on completion of investigation, police has submitted challan before the Court concerned. The counsel further contends that, it will take time for the trial to conclude as the same is yet to commence.

The present petition is opposed by the State counsel, who is assisted by Mr. Fariad Singh Virk, Advocate. The State counsel contends that the injury caused by the petitioner is covered under Section 326 IPC and as such at this initial stage, the petitioner is not entitled to get concession of bail. However, the State counsel has admitted the fact that investigation in this case has been completed and the petitioner is presently lodged in judicial custody.

I have considered the submissions made by counsel for the parties.

The grievous injury is stated to be caused by the petitioner is on the non-vital part of the body of complainant-Rajan as the same was inflicted on his right bicep. Admittedly, the petitioner was arrested during investigation of this case on 9.4.2022 and is presently lodged in judicial custody. After the completion of investigation, challan has been presented by the police in the Court concerned and it will take considerable time for

the trial to conclude. So, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

08.07.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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