

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

225

CRM-M-25089 of 2022 (O&M)

DECIDED ON: 4th July, 2022

Ritik @ Kaku

.....PETITIONER

VERSUS

Union Territory, Chandigarh

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vivek Kathuria, Advocate for petitioner.

Mr. Abhinav Gupta, APP for UT Chandigarh.

AVNEESH JHINGAN, J (ORAL)

This is second petition for grant of regular bail in case of FIR No. 111 dated 29.8.2020, under Sections 147, 149, 341, 324, 307, 506, 34 IPC, (charge sheeted under Sections 147, 149, 341, 323, 326, 307, 506 IPC) registered at Police Station West Sector 11, Chandigarh. On 3rd November, 2021, first bail petition was dismissed as withdrawn with liberty to revive the prayer at a later stage.

As per the case set up, an incident that occurred on 29th August, 2020. Petitioner-Ritik @ Kaku alongwith accomplices attacked the complainant with a intention to kill. The petitioner was armed with a sharp edged weapon.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner is in custody since 30th August, 2020. The complainant and the injured have not supported the case of the prosecution. Petitioner is not involved in any other case.

Mr. Abhinav Gupta, APP for UT Chandigarh on instructions from ASI Varinder Kumar, opposes the prayer, however, is not in a position to controvert the contention raised by learned counsel for petitioner.

Without commenting upon the merits of the case or on the deposition of the complainant and the injured, having conspectus of the facts of the case, custody period of the petitioner and the fact that conclusion of trial is likely to take time and that the petitioner has no criminal antecedents, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

4th July, 2022

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**(AVNEESH JHINGAN)
JUDGE**

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