

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

(THROUGH VIDEO CONFERENCING)

CRM-M-36474-2021

Date of Decision: 24.1.2022

Ajay @ Kala

....Petitioner

VERSUS

State of U.T., Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Parampreet Pal Singh, Addl. PP, UT Chandigarh.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.29 dated 4.3.2021 registered for the offences punishable under Sections 308, 506, 34 of Indian Penal Code (for short, "IPC") at Police Station 11, Chandigarh.

Counsel for the petitioner has *inter alia* contended that the petitioner has been falsely implicated in this case and is in custody since 4.3.2021 and is not required by the police for any further investigation as the challan has already been presented in the Court and trial is going on. He further contended that co-accused Lokesh has already been granted regular bail by this Court vide order dated 1.12.2021 passed in CRM-M-28423-2021.

The present petition is contested by the counsel for the State who while admitting the factual position submitted that the petitioner and

other accused are facing trial under Section 307 IPC for causing injuries to Sunny and Ombir with different weapons on 3.3.2021. Counsel for the State admitted the fact that the complainant and injured witnesses have already been examined in the trial Court.

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

No specific injury has been attributed to the petitioner. Both the injured have already been discharged from the hospital and their statements have also been recorded by the trial Court. Co-accused/Lokesh who is also facing similar charges has been granted regular bail by this Court vide order dated 1.12.2021 passed in CRM-M-28423-2021. It will take time for conclusion of the trial due to present Covid-19 situation. So, I am of the view that no purpose will be served even if the petitioner is kept 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 Chief Judicial Magistrate/Duty Magistrate concerned.

January 24, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No