

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

**CRM-M-41229-2022
DECIDED ON: 14.09.2022**

ASHISH @ KANCHA

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, APP, U.T., Chandigarh.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.0031, dated 06.03.2022 (Annexure P-2), under Sections 341, 323, 307, 506 and 34 of the IPC and Section 25 of the Arms Act, registered at Police Station Mauli Jagran, Chandigarh.

Learned counsel for the petitioner contends that the injuries are simple in nature and the injured Kundan was discharged on the same day after giving conservative treatment itself, therefore, offence under Section 307 IPC is not attracted in the present case against the petitioner.

On the other hand, learned State counsel has produced the custody certificate of the petitioner-Ashish @ Kancha son of Rajender in Court today, which is taken on record, according to which, the petitioner is already behind bars for the last 6 months and 7 days and there is no other case pending against the petitioner.

A perusal of the FIR shows that the injury, which has been declared to be grievous in nature, has not been attributed to the petitioner.

Looking at the totality of the facts and circumstances and also the fact that the charges have already been framed and the conclusion of the trial is likely to take time, no fruitful purpose will be served by keeping the accused behind bars, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate concerned.

(SANDEEP MOUDGIL)
JUDGE

14.09.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>