

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

SR. No.207

CRM-M-48598-2021

Date of Decision:14.02.2022

Rahul

...Petitioner

Versus

State of UT Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Barun Jaswal, Advocate,
for the petitioner.

Mr. Abhinav Gupta, APP, UT, Chandigarh.

[The aforesaid presence is being recorded through video conferencing since the
proceedings are being conducted in virtual court.]

SANT PARKASH, J.

Prayer in the present petition is for grant of regular bail in FIR
No.120 dated 21.09.2020 registered under Sections 307, 324 read with
Section 34 IPC at Police Station Sarangpur, U.T., Chandigarh.

As per the allegations levelled in the FIR, the petitioner along
with co-accused Nishu caused knife injuries to the complainant, which hit on
elbow, chest, belly button of stomach and on the left hip of complainant.

Learned counsel for the petitioner has submitted that the
petitioner is in custody for the last more than 01 year and 04 months. He
has also submitted that the complainant has not supported the case of
prosecution.

On the other hand, learned counsel for the UT Chandigarh has
opposed the prayer of the petitioner on the ground that the CFSL report was
against the petitioner.

This Court has heard the learned counsel for the parties and perused the case file.

Custody certificate dated 12.02.2022, filed in Court today, is taken on record.

Admittedly, the petitioner is in custody since 22.09.2020, i.e., the last more than 01 years and 04 months. Moreover, the injured-complainant has turned hostile and has not supported the prosecution story.

Taking into consideration the totality of the facts and circumstances and without commenting on the merits of the case, it is considered just and appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

14.02.2022
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO