

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45734-2022

Date of Decision: 12.10.2022

Kuldeep

....Petitioner

VERSUS

Union Territory, Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Yashpal Thakur, Advocate with
Mr. Kamaljit Rana, Advocate, for the petitioner.

Mr. Viranjeet Singh Mahal, 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.34 dated 14.2.2022 registered for the offences punishable under Sections 323, 147, 148, 149, 341, 452, 506 IPC (Sections 324, 307 IPC added later on) at Police Station Industrial Area, Chandigarh.

Counsel for the petitioner submits that co-accused Deepak @ Bedi has already been granted concession of regular bail by this Court vide order dated 8.9.2022 (Annexure P-5) on the ground that the injuries sustained by Dev Nath, Saisal and Sumit were found to be simple in nature. He further submits that the petitioner is in custody for the last more than 4 months and after completion of investigation, the police has presented the challan but it will take time for trial to conclude even after its commencement.

Present petition is resisted by the State counsel appearing on behalf of U.T., Chandigarh who has not refuted the fact that co-accused

that the injuries on the person of Dev Nath, Saisal and Sumit were found to be simple in nature. State counsel has also not disputed the fact that after completion of investigation, challan has been presented but charges are yet to be framed and that the petitioner is in custody for the last more than 4 months. However, State counsel further submits that the petitioner is involved in 4 other criminal cases but is on bail in all the said four cases.

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

Admittedly, similarly situated co-accused Deepak @ Bedi was granted benefit of regular bail by this Court vide order dated 8.9.2022 (Annexure P-5) on the ground that the injuries suffered by Dev Nath, Saisal and Sumit were found to be simple in nature. Further, the petitioner is in custody for the last more than 4 months and in all the other criminal cases being faced by him, he has been granted bail. After completion of investigation, the police has presented the challan but charges are yet to be framed and thereafter, it will take considerable time for the trial to conclude. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further 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 trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

October 12, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No