

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47144-2022
DECIDED ON: 07.12.2022

MOHIT

.....PETITIONER

VERSUS

UNION TERRITORY CHANDIGARH

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Kamal Jit Rana, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, A.P.P., U.T., Chandigarh.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.0031, dated 06.03.2022 (Annexure P-1), under Sections 341, 323, 307, 506 and 34 of the IPC and Section 25/54/59 of the Arms Act, registered at Police Station Mauli Jagran, Chandigarh.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He submits 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. He further submits that the injury attributed to the petitioner is with knife. It has been asserted that the co-accused of the petitioner, namely Ashish @ Kancha, was granted the concession of regular bail by this Court vide order dated 14.09.2022, passed in CRM-M-41229-2022.

On the other hand, learned State counsel has produced the custody certificate of the petitioner in Court today, which is taken on record, according to which, the petitioner is already behind bars for the last 09 months and 1 day and there is no other case pending against 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 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.

Accordingly, the present petition is allowed.

07.12.2022

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

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