

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

210

CRM-M-743 of 2023
DATE OF DECISION:-13.01.2023

Deepak Sharma @ Deepu

...Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rishabh Singla, Advocate for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J.

By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner is seeking grant of regular bail pending trial in FIR No.184 dated 16.10.2022 (Annexure P-1) for the offence under Sections 307, 324, 34 IPC, registered at Police Station City Samana, District Patiala.

Learned counsel for the petitioner submits that in the present case the injuries have not been attributed to the petitioner who is already behind the bars since 16.10.2022. Investigation in the present case has already been concluded, *challan* stands presented. Learned counsel for the petitioner submits that petitioner has merely been implicated being the brother of Manoj Kumar and as such, he deserves the concession of regular bail.

On the other hand, learned State counsel submits that it is the petitioner who caught hold of injured/complainant resulting into inflicting of injuries on his right hand and thus, petitioner has played active role in the

occurrence.

I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

A perusal of FIR as well as records shows that no injury has been attributed to the petitioner who is already behind bars for almost 3 months now. The investigation of the case has already been completed, *challan* stands presented and trial is no doubt likely to take long time and as such, no useful purpose would be served for extending his incarceration any further.

In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

However, nothing expressed hereinabove shall be construed as an expression on the merits of the case.

13.01.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No