

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

CRM-M-4315-2023
Decided on:-03.02.2023

Abhishek Kohali

....Petitioner..

vs.

State of U.T. Chandigarh

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kartik, Advocate,
for the petitioner.

Mr. Anupam Bansal, Addl. P.P., U.T., Chandigarh.

HARKESH MANUJA J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail in case FIR No.145 dated 13.11.2022 under Sections 379-A, 341 and 34 IPC (Section 411 IPC added later on), registered at Police Station East Sector-26, Chandigarh.

Learned counsel for the petitioner submits that the petitioner is a young boy of 21 years of age and is working as a Delivery Boy on a food stall and the incident happened due to some altercation with the complainant while travelling on his motorcycle. Learned counsel further submits that the petitioner is in custody since 12.11.2022, the investigation already stands concluded, challan stands filed, besides it, case already stands committed to the court of Sessions and thus, prays for concession of regular bail.

On the other hand, prayer made in the present petition has been vehemently opposed at the instance of learned State counsel, who submits that the petitioner was caught at the spot by the complainant and even

mobile was recovered there and then from him.

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.

In the present case, petitioner happens to be a young boy of 21 years of age and is working in Food Stall as a delivery boy and thus needs to be given a chance to reform himself for his better future in life. As such, considering the fact that investigation already stands concluded, challan filed and the trial likely to take some time, no useful purpose is going to be served by extending the incarceration of the petitioner.

In view of the above, without commenting anything on the merits, lest it may prejudice the trial, 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.

03.02.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No