

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

**CRM-M-14321-2023  
DECIDED ON: 27.03.2023**

**GOPAL ALIAS SONU**

**.....PETITIONER**

**VERSUS**

**THE STATE OF UT CHANDIGARH**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr. Aryan Sharma, Advocate  
for the petitioner.

Mr. Anupam Bansal, Addl. PP, UT, Chandigarh.

**SANDEEP MOUDGIL, J (ORAL)**

This is a petition seeking regular bail in FIR No.52, dated 12.05.2021, under Sections 147, 148, 149, 341, 307, 326, 506 of IPC, 1860, registered at Police Station Mauli Jagran, Chandigarh.

Learned counsel for the petitioner contends that his role is only with the attribution of causing *danda* blow that too on non-vital part of the body as there are certain other injuries on the vital part, which are as per the medical record caused with sharp edged weapon. It is the categoric case of the prosecution that the petitioner was armed with danda, which stands recovered from him apart from that weapon such as knife and iron rod has been recovered from the co-accused persons namely Sanjay and Rahul, who are in custody.

Learned counsel for the petitioner has further drawn attention of this Court to the order dated 24.02.2023 (Anneuxre P-9) passed by this Court

in CRM-M-486-2023 & CRM-M-6954-2023, wherein co-accused of the petitioner namely Sahil and Ashish @ Ashu have been granted the concession of regular bail.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 1 year, 10 months and 14 days. Custody certificate also shows that the petitioner is not involved in any other case. He does not dispute the parity part with the co-accused namely Sahil & Ashish @ Ashu, who have been granted regular bail vide order dated 24.02.2023 (Anneuxre P-9) and further submits that the petitioner was armed with danda.

Considering the aforesaid statement made by the State counsel and the custody period suffered by the petitioner i.e., 1 year, 10 months and 14 days, no fruitful purpose would be served by keeping the petitioner behind the bars, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)  
JUDGE

27.03.2023  
Meenu

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |