

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

**CRM-M-21442-2023
DECIDED ON: 04.05.2023**

JUDGE SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.287, dated 14.12.2022, under Section 452, 323, 506, 34 of IPC 1860 (Section 325 and 326 of Indian Penal Code, 1860 added later on) registered at Police Station Chheharta, District Police Commissionerate, Amritsar (Annexure P-1).

Learned counsel for the petitioner contends that it is an injury which is within the ambit of Section 326 though given by datar, as has been alleged in the FIR qua him on the head of the complainant-victim but the same is triable by the Magistrate and the petitioner has also suffered incarceration for a period of more than 4 months.

Learned State counsel, on the other hand, filed custody certificate which is taken on record, reflecting that the petitioner is behind

bars for the last 4 months and 4 days and states that it is a grievous injury caused by the petitioner with the weapon namely datar.

Though on query put by the Court, learned State counsel further admits that neither any recovery is to be effected nor any interrogation is required to be made, as investigation is complete and challan stands filed wherein the case is fixed for framing of charges, which shows that conclusion of trial shall take sufficient long time.

In the light of the said fact, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

Admittedly, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/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.

04.05.2023

Lavisha

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No