

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

**CRM-M-24239-2023
DECIDED ON: 17.05.2023**

SALIM MOHD

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Abhijeet Pratap, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 68, dated 03.09.2022, under Sections 323/326 of IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, registered at Police Station Maloud, District Khanna.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case, as there is a delay in lodging the FIR. He further submits that originally the case was registered under Section 326 of IPC, but later on, the challans stands presented under Sections 323, 325 of IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015.

3. 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 8 months and 12 days, who is not involved in any other case.

4. Considering the aforesaid facts and the custody period undergone by the petitioner added with the fact that investigation is complete, challan stands presented, wherein conclusion of trial shall take sufficient time, no useful purpose would be served by keeping the petitioner behind the bars, who is not involved in any other case, which shows that he is not an habitual offender, this Court is of the considered view that petition deserves to be allowed.

5. Accordingly, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

6. The present petition is allowed in the aforesaid terms.

7. 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

17.05.2023

Meenu

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