

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

CRM-M-26296-2023

Date of decision : 12.07.2023

GOVIND BIRLA @ GOBINDA

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Beant S. Seemar, Advocate for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.38 dated 12.03.2023 registered for the offences punishable under Sections 323, 324, 148, 149, 506, 326 of the IPC, at Police Station Focal Point, District Police Commissionerate, Ludhiana.

Counsel for the petitioner submits that initially the FIR was registered under Sections 323, 324, 148, 149, 506 IPC and the offence punishable under Section 326 IPC was added later on. However during the course of trial the charges have been framed for offence punishable under Sections 323, 324, 148, 149, 506 only. He further relies upon pre-arrest bail granted to co-accused Sahil Kumar in CRM-M No.21622 of 2023 vide order dated 05.07.2023 and concession of regular bail granted to Charanjit Singh alias Channa in CRM-M-25054 of 2023 vide order dated 24.05.2023.

State counsel is not in a position to dispute the aforementioned factual assertions made by the Counsel for the petitioner based on record.

Without commenting on the merits of the case and keeping in view the incarceration already suffered by the petitioner and the fact that after presentation of Challan trial has proceeded further, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

July 12, 2023
Dpr

(Pankaj Jain)
Judge