

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

**CRM-M-31466-2023**

**Date of Decision:10.08.2023**

Ritik alias Ritik Sabharwal

...Petitioner

vs.

State of Punjab

...Respondent

**Coram :    Hon'ble Mr. Justice N.S.Shekhawat**

Present :    Mr. Rahul Kumar Adia, Advocate  
for the petitioner.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

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**N.S.Shekhawat J. (Oral)**

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.219 dated 03.09.2022 registered under Sections 307, 324, 506, 148, 149 of IPC (Section 326 added later on) at Police Station City District Hoshiarpur.

Learned counsel for the petitioner contends that the incident in the present case had taken place at 9.30 p.m. on 29.08.2022, whereas the FIR was got registered by the complainant on 03.09.2022 at about 7.50 p.m. and the delay was not explained by the complainant in the FIR (Annexure P-1). He further contends that he has been nominated as an accused on the basis of the disclosure statement of co-accused Abhishek Kumar, which does not carry any evidentiary value. He further contends that the supplementary statement of the complainant was recorded on 30.01.2023, after a delay of four months and as per the said statement, the petitioner had caused an injury with a *khanda* on the

bicep of right arm of the complainant, which is on non-vital part of the body.

The petitioner was arrested in the present case on 27.01.2023 and his further detention will serve no meaningful purpose.

On the other hand, learned State counsel has opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against him.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner continues to be in custody since 27.01.2023 i.e. for the last more than 6 months and the challan has already been presented against him. Further, similarly placed co-accused Gaurav @ Pendu has already been granted the concession of bail by this Court vide order dated 11.05.2023 (Annexure P-2).

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

**10.08.2023**

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**(N.S.SHEKHAWAT)**  
**JUDGE**

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