

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M 52249 of 2022

Date of Decision: 05.01.2023

Akash

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.Present: Mr. Vipin Mahajan, Advocate for the petitioner.
Mr. G.S. Shergill, AAG, Punjab.**GURBIR SINGH, J (ORAL)**

The petitioner has filed the present petition praying for grant of regular bail in case FIR No.136 dated 01.09.2021, under Sections 307, 326, 324, 323, 148, 149 of IPC (offence under Section 326 IPC added later on), registered at Police Station Division No.2, District Pathankot, Punjab.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. Challan has already been presented and that no over act has been attributed to the petitioner. As per the medico legal report (Annexure P-2) there were 5 injuries on the person of the complainant-Gaurav. Injuries No.2 and 3 are grievous in nature while injuries no. 4 and 5 are simple. Injury No.1 was kept for CT Scan. The complainant never turned up for CT Scan. There is no opinion declaring any injury to be dangerous to life. Co-accused, Ravi Kumar @ Romey and Ishal Choudhary @ Ishu @ Rishu have already been granted concession of regular bail by the Co-ordinate Bench of this Court in CRM-M-5912-2022 and CRM-M-10029-2022 respectively.

Learned State counsel has vehemently opposed the application and also placed on the record a custody certificate. He has not disputed the fact of regular bail having been granted to the co-accused who are alleged to

be attributed the injuries.

Heard.

The petitioner is in custody since 15.09.2022.

In view of the above, without commenting anything on the merits of the case and taking into account the fact that the trial is not likely to be concluded in near future and the custody period, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Illaqa Magistrate/Duty Magistrate concerned.

If any attempt whatsoever is made by the petitioner to contact/threaten/intimidate any member of the complainant's family (also the family of the petitioner), the complainant/State shall be at liberty to move an application for cancellation of bail granted vide this order.

(GURBIR SINGH)
JUDGE

January 05, 2023

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No