

2024:PHHC:068394
2024:PHHC:068397

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211(2) CRM-M-14288-2024
Date of Decision: 15.05.2024

RAHULPetitioner
Vs.
STATE OF UT CHANDIGARHRespondent
CRM-M-14378-2024

SHUBHAMPetitioner
Vs.
STATE OF UT CHANDIGARHRespondent

CORAM: HON’BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Suresh Kumar Dhiman, Advocate
for the petitioner (in CRM-M-14288-2024).

Mr. Ishan Sharma, Advocate
for the petitioner (in CRM-M-14378-2024)

Mr. Manish Bansal, PP, UT, Chandigarh with
Mr. Shubham Mangla, Advocate

DEEPAK GUPTA, J. (ORAL)

In the two petitions titled above, filed under Section 439 Cr.P.C., prayer is for grant of regular bail in case FIR No.94 dated 12.08.2023, under Sections 147, 148, 149, 323, 452, 506 and 307 and (Section 325 added later on) registered at Police Station Maloya, Chandigarh.

2. FIR was lodged on the complaint of Dilpreet Singh, as per which he was attacked by 5-6 persons on 09.08.2023 with different kind of weapons and caused 07 injuries.

3. It is common contentions raised by counsel for both the petitioners that they are not named in the FIR; that they are not involved in any other case; that trial is not proceeding as injured Dilpreet Singh is not

coming forward, having gone to Malaysia and that trial is likely to take long time to conclude.

4. Separate status report in both the petitions have already been filed.

5. It is conceded by learned State counsel that petitioners are not named in the FIR. Custody certificate would reveal that petitioner-Rahul is in custody since 17.08.2023 i.e. for the last approximately 09 months. Petitioner-Shubham is also in custody ever since 17.08.2023 i.e. for the last approximately 09 months. None of the petitioners are involved in any other case.

6. It is conceded by learned State counsel that PW-Dilpreet Singh injured has shifted to Malaysia and is not coming forward so as to depose before the trial Court. Learned State counsel has also informed that out of 16 witnesses cited by prosecution, only two have been examined so far and thus trial is likely to take long time to conclude.

7. Having regard to all the aforesaid facts and circumstances, but without commenting anything further on merits of the case, petition is allowed. Petitioners are admitted to regular bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

15.05.2024
pry

(DEEPAK GUPTA)
JUDGE

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