

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

CRM-M-24048-2024
Date of Decision: 30.07.2024

Deepak Kumar		...Petitioner
	vs.	
State of Punjab		...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Lakshay Bector, Advocate
 for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.116 dated 09.08.2023 registered under Sections 307, 324 & 506 of IPC, at Police Station Focal Point, District Ludhiana.
2. Learned counsel for the petitioner contends that in the present case, the petitioner has been falsely involved by the complainant with some ulterior motive. As per him, the incident had taken place on 08.08.2023 at about 4.00 p.m., whereas he was admitted in the hospital at about 4.45 p.m. on 09.08.2023 and this fact alone causes is serious doubt about the veracity of the allegations levelled by the complainant. He further contends that the injured has completely recovered and has been discharged from the hospital. As per him, the petitioner was arrested in the present case on 09.08.2023 and is in custody for the last more than 11 months. The challan against the petitioner has already

been presented and after framing of charge, no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner. However, he admits that the petitioner is the first offender and no criminal case was registered against him.

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

5. The petitioner is in custody since 09.08.2023 i.e. for the last more than 11 months and the injured has already been discharged from the hospital. Still further, the trial Court has ordered framing of charge against the petitioner on 07.05.2024 and no prosecution witness has been examined so far. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioner will not serve any meaningful purpose.

6. 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.

30.07.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No