

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

234

CRM-M-35304 of 2023

Date of Decision: 18.01.2024

Pawan Kumar

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Mukesh Mehra, Advocate for the petitioner.
Mr. M.S. Bajwa, DAG, Punjab.
Mr. Naveen Kumar Kuhad, Advocate, for the
complainant.

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 a regular bail in case FIR No.219 dated 20.12.2022 registered under Sections 459, 307, 324, 323 and 34 IPC (later on Section 307 of IPC deleted and Sections 460, 511 read with Section 379-B of IPC added later on) at Police Station Kotwali, District Bathinda.

2. Learned counsel for the petitioner contends that in the present case, during the course of the investigation, the offence under Section 307 IPC has already been ordered to be deleted. He further contends that in the present case, the material witnesses have already been examined and there are no chances of tampering with the prosecution evidence. The petitioner was ordered to be arrested on 22.12.2022 and is in custody for the last about 01 year and 01 month.

3. On the other hand, learned State counsel assisted by the learned counsel for the complainant vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner was armed with a sharp edged weapon and have caused serious injuries including disfiguration of face of Kamla Devi, injured.
4. I have heard learned counsel for the parties and perused the record.
5. No doubt, serious allegations have been levelled against the present petitioner, but the petitioner is in custody for the last about 01 year and 01 month. Admittedly, most of the material witnesses have already been examined by the prosecution and there are no chances of tampering with the evidence. So, no purpose would be served by keeping the petitioner the behind the bars.
6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

18.01.2024

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No