

2024:PHHC:134684



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

CRM-M-36839-2024 (O&M)
Decided on:-15.10.2024

Ricky

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Deepak Kumar, Advocate,
for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present third petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.150 dated 29.07.2023, registered under Sections 324, 323, 506 and 34 (later on added 307, 325, 326 and 201 IPC), at Police Station Machhiwara Sahib, District Ludhiana, wherein the petitioner has been implicated with the allegations of having inflicted injuries to the complainant-injured with *iron rod*.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he is in custody since 02.09.2023, thus, he prays for grant of concession of regular bail.
3. On the other hand, prayer made on behalf of the petitioner has been vehemently opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in

06 more FIRs.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges. The petitioner is in custody for the past 01 year & 01 month and so far, not even a single prosecution witness has been examined.

6. As regards the involvement of the petitioner in other FIRs, as per the details given in para 5 of the present petition, 03 of the FIRs have already been quashed by this Court, whereas, in two FIRs, the petitioner stood acquitted and in 6th FIR, he is already on bail. In such circumstances, this Court does not find any justification to extend the incarceration of the petitioner any further.

7. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

8. It is made clear that this order may not be construed as an expression of opinion on merits of the case.

15.10.2024
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No