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

CRM-M-42509-2024 (O&M)

Date of Decision: September 11, 2024

VIJAY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sandeep Sharma, Advocate for
Mr. B.S. Choudhary, Advocate for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of this second petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.86 dated 26.10.2023 registered under Sections 324, 307, 34 and 201 of IPC at Police Station Dhakoli, SAS Nagar, Mohali wherein, the petitioner has been implicated against the allegations of having assaulted servant of complainant namely, Minta by inflicting a knife blow on the left side of his abdomen.

2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner is involved in four more cases and thus, considering his antecedents as well as injuries inflicted in the present case, the petitioner does not deserve the concession of regular bail.

3. 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.

4. A perusal of the record shows that investigation already stands concluded with the filing of challan followed by framing of charges and the petitioner who is a young boy of 22 years of age is in custody for the last more than 10 months. Undoubtedly, the petitioner is stated to be involved in four more cases, however, as per the information provided by the learned counsel for the petitioner which has not been disputed by learned State counsel, the petitioner stands acquitted in three of them whereas, in the fourth one, he is already on bail. In such circumstances, while considering the custody period and the fact that the trial is likely to take some time, this Court does not find justification to extend his incarceration any further.
5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.
6. Nothing construed herein shall be treated as an expression of opinion on the merits of the case.
7. Pending application(s), if any, shall also stand disposed of.

11.09.2024

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>