

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

**Date of Decision: 18.09.2024**

...Respondent

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2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. Even as per the case set up by the prosecution, the occurrence had taken place at the spur of the moment and the provisions of Section 307 IPC have been wrongly invoked by the police. He further contends that the injured in the present case has already been discharged from the hospital. The petitioner was arrested in the present case on 15.05.2024 and is in custody for the last more than 4 months. After completion of the investigation, the final report under Section 173 Cr.P.C. has already been presented before the Competent Court of law. Learned counsel for the petitioner has further placed reliance on the order dated 15.07.2024 (Annexure



P-2) passed by this Court, whereby similarly placed co-accused, Karan Sharma has already been admitted to bail by this Court. Thus, he contends that the custody of the petitioner will not serve any meaningful purpose, at this stage.

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 present petitioner. However, he admits that the petitioner is the first offender and was never involved in any other criminal activity.

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

5. In the present case, as per the prosecution version, the petitioner and his co-accused had caused injuries with a glass bottle on the head of Monu. The petitioner is stated to be in custody since 15.05.2024 and the investigation has already concluded in the present case. Moreover, co-accused, Karan Sharma, has already been admitted to bail vide order dated 15.07.2024 (Annexure P-2) passed by this Court. Thus, the petitioner cannot be allowed to languish in jail any further and the present petition deserves to be allowed.

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.

18.09.2024.  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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