

2024:PHHC:145177



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM M-54243 of 2024 (O&M)
Date of Decision: 07.11.2024

Mansa ...Petitioner
Versus
State of U.T. Chandigarh and another ... Respondents

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

Present : Ms. Surbhi Yadav, Advocate, for the petitioner.

Mr. Manish Bansal, P.P., U.T., Chandigarh
with Shubham Mangla, Advocate.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the BNSS, 2023 with a prayer to grant a regular bail in case FIR No.157 dated 15.08.2024 registered under Sections 191(1), 191(2), 191(3), 126(2) and 115(2) of BNS (Sections 109 and 351(2), (3) of BNS added later on) at Police Station Sector 31, Chandigarh.
2. Learned counsel for the petitioner contends that the petitioner is not named in the FIR nor there is any averment, which connects the petitioner with the alleged crime. She further contends that the petitioner has been falsely involved in the present case only on the basis of the suspicion and even during the course of

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investigation, no incriminating material could be collected against him. Learned counsel further contends that the petitioner was arrested in the present case on 27.08.2024 and both the injured have already been discharged from the hospital and are hale and hearty. She further contends that the investigation is almost complete against him. No purpose will be served by keeping him behind the bars.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the injury No. 1 suffered by Kuldeep injured has been declared to be dangerous to life. He further contends that the petitioner had actively participated in the commission of the crime and sufficient evidence has been found against him.

4. I have heard the rival submissions made by learned counsel for the parties and perused the record.

5. In the present case, the FIR was initially registered against the unknown persons, but during the course of investigation, the involvement of the petitioner was also found by the police. Now the petitioner is in custody since 27.08.2024. Both the injured in the present case have already been discharged from the hospital and the investigation is almost complete against the petitioner. Thus, no purpose will be served by detaining the petitioner 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

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to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

7. CRM 43253 of 2024 also stands allowed, accordingly.

07.11.2024

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No