

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

CRM-M No.11101 of 2015 (O&M)

Date of decision: 26th May, 2015

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. R.S. Budhwar, Advocate
for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.413 dated 04.10.2014 registered at Police Station Indri, District Karnal under Sections 323, 324, 506, 34 IPC.

Learned State counsel has already placed on record statement of the complainant recorded by the trial Court in compliance of the previous orders dated 20.04.2015.

Heard.

The allegations against the present petitioner Sandeep in this regular bail application are that on 02.10.2014 he along with his co-accused had assaulted the complainant Prem Chand @ Sunil and that co-accused/non-applicant Bhupinder is alleged to have given stab wound in the abdomen of the injured.

The contentions of learned counsel for the petitioner that the petitioner is in custody since 20.11.2014 and that there is no injury attributed to him could not be controverted on behalf of the State.

Apparently as is reflected from the record and is conceded too on behalf of the State, the lone injury by means of a knife as per the MLR has never been probed and even operation notes shows that it was a simple operation and nothing corroborative as to the vital body parameters could be brought to the notice of this Court to make out an offence punishable under Section 307 IPC.

However, without adverting onto the merits of the case, in the light of the fact that trial is not likely to conclude in the near future and applicability of Section 307 IPC is a debatable issue, this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 26, 2015
rps