

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

**Criminal Misc. No. M-12469 of 2015 (O&M)
Date of Decision: 27.4.2015**

Deepak

--Petitioner.

Vs.

State of Haryana

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Virender Soni, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 360 dated 21.11.2014 under Sections 323/324/34 IPC (Section 307 IPC was added later on), registered at Police Station Shivaji Colony, Rohtak.

Notice to the Advocate General, Haryana.

On the asking of the Court, Mr. Ashish Yadav, Additional A.G. Haryana, accepts notice on behalf of the State.

Learned counsel for the petitioner submits that petitioner was arrested and was granted bail qua the offences under Section 323/324/34 IPC. However, subsequently, offence under Section 307 IPC was added and because of that reason, he is inside jail for the last more than two and half months. He prays for allowing the present petition.

Learned counsel for the State, on instructions from ASI Suresh Kumar, Police Station Shivaji Colony, Rohtak, submits that all the three injuries have been attributed to the petitioner. The grievous injury was found having been caused by the petitioner with a knife in the abdomen of the injured, because of which the petitioner is not entitled for the concession of bail pending trial. He prays for dismissal of the petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered view that petitioner deserves the concession of bail pending trial. It is so said, because earlier the petitioner was released on bail. There is no allegation against the petitioner that he misused the concession of bail. After adding the offence under Section 307 IPC, petitioner is inside jail for the last more than two and a half months. Further, trial is yet to start and conclusion thereof will take some time.

Keeping in view the totality of facts and circumstances of the case, petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial court/Duty Magistrate, Rohtak.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

27.4.2015
AK Sharma