

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-12856-2015
Date of decision: 29.04.2015

Hemraj and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr. Jagjot Singh, Advocate for
Mr. Kunal Dawar, Advocate for the petitioners.

Mr. Manoj Kumar Sangwan, DAG, Haryana.
Ms. Arti Bansal, Advocate for the complainant.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioners seek bail pending trial in FIR No.23 dated 16.1.2015 registered under Sections 147, 148, 149, 323, 324, 506 and 341 IPC and Section 326 IPC (added lateron) at Police Station Hathin, Haryana.

Notice to the Advocate General, Haryana.

On the asking of Court, Mr. Manoj Kumar Sangwan, DAG, Haryana, accepts notice.

Learned counsel for the petitioners refers to the relevant para of the FIR at page 3 of the paper-book, to contend, inter alia, that even as per the allegations levelled against the petitioners in the FIR, they gave blows on the hand of the complainant and the said injuries have been found to be simple in nature. He further submits that since the trial is yet to commence, conclusion thereof will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Rakesh, Police Station Hathin, submits that petitioners are inside

the jail only from 12.3.2015. So far as the trial is concerned, the next date before the learned trial Court is 8.5.2015 for framing of charge and thereafter trial will not be delayed. He prays for dismissal of the petition.

Similarly, learned counsel for the complainant submits that petitioners and their co-accused caused very many injuries on the person of the complainant. Petitioners are not entitled for concession of bail pending trial.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that petitioners are entitled for bail pending trial. It is so said, because the injuries caused by the petitioners on the person of the complainant have been found to be simple in nature. Since the trial is yet to commence, conclusion thereof will take some time.

Without commenting further, lest it should prejudice the rights of either of the parties, the present petition is allowed. Petitioners are directed to be released on bail pending trial subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial Court.

Petition stands disposed of, accordingly.

29.04.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE