

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No.M-1304 of 2015 (O&M)
Date of decision: 29th January, 2015

Munish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner Munish has preferred this petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.561 dated 20.10.2014, registered at Police Station Assandh, District Karnal, under Sections 148, 149, 323, 506, 325, 34 and 307 IPC (Section 307 IPC added lateron).

Learned counsel for the petitioner contends that the petitioner is not the main accused. He further contends that only simple injury has been attributed to the petitioner and Section 307 IPC has been added lateron in the FIR. Learned counsel for the petitioner also contends that earlier the petitioner was arrested and then released on regular bail.

Notice of motion.

On the asking of the Court, Mr. Deepak Grewal, DAG, Haryana, has accepted notice on behalf of respondent-State. Police record is also available.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that firstly, the petitioner is not the main accused. Main accused is Virender and grievous injuries have been attributed to him. Only simple injuries with 'danda' have been attributed to the petitioner. Earlier the petitioner had been arrested in this case and released on regular bail. But the offence under Section 307 IPC was added later on and the petitioner was again arrested on 06.12.2014. He is not required for any investigation or interrogation purposes as he is already in judicial custody and he is only to face the trial. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of learned trial Court/Duty Magistrate.

29th January, 2015
mamta

(INDERJIT SINGH)
JUDGE