

CRM No. M-16304 of 2015
DECIDED ON: AUGUST 03, 2015

RAJ KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.S. Duhan, Advocate for
Mr. Raman Chawla, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Sunny Bhardwaj, Advocate
for the complainant.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred by Raj Kumar under Section 439 Cr.P.C. seeking bail in case FIR No. 218 dated 12.04.2014, under Sections 148, 149, 302, 452, 324, 323, 506, 307 and 326 IPC registered at Police Station Narnaund, District Hisar.

2. Allegations against the present petitioner are that he while armed with lathi dealt its blow hitting on the person of Kulbir. The injury attributed to the petitioner is simple in nature and falls within the purview of Section 323 IPC. No injury has been attributed to petitioner having been caused to the deceased Pardeep. Petitioner were arrested in this case on May 08, 2014, subjected to custodial interrogation and weapon used by him i.e. lathi has already been recovered. Even report under Section 173(2) Cr.P.C. has already been submitted which is pending disposal before learned trial Court. Moreover, co-accused

namely Balbir @ Surajmal and Rajesh of the petitioner have already been granted the concession of bail by this Court vide order dated April 30, 2015 passed in CRM No. M-12679 of 2015. The case of the petitioner is on better footing than that of Balbir @ Surajmal and Rajesh.

3. All these facts have not been disputed by learned State counsel as well learned counsel for the complainant.

4. Taking into consideration, all these factors and without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail to the satisfaction of learned trial Court.

5. However, it is also made clear that any observation made by this Court shall have no binding effect on merits of the case and shall remain limited to the disposal of instant case.

6. In case of wilful default in appearance before learned trial Court during trial, trial Court shall be competent to cancel this bail order.

August 03, 2015
SHAM

(JASPAL SINGH)
JUDGE