

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

CRM-M-25263-2015

Date of decision: 17.08.2015

Sunil

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. P.S. Dhanoa, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.215 dated 05.04.2015 under Sections 148, 149, 323, 325, 506, 307 of Indian Penal Code ('IPC' for short), registered at Police Station City Palwal, District Palwal.

Learned counsel for the petitioner submits that even as per the allegations against the petitioner, he has caused a simple injury on the chest of the injured because of which, no offence under Section 307 IPC can be alleged against the petitioner. He further submits that since the prosecution evidence is yet to start, conclusion of trial will take some time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Chander Shekhar, Police Station City Palwal, District Palwal, submits that in the totality of facts and circumstances of the case, petitioner is not entitled for bail pending trial, because he has caused injury on the vital part of the body of the injured with a baseball bat which has been recovered from the petitioner.

He prays for dismissal of the present petition.

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 contentions raised, this Court is of the considered opinion that in the peculiar fact situation of the case, noticed hereinabove, petitioner has been found entitled for bail pending trial. It is so said because only a simple injury has been attributed to the petitioner. Further, since only charge has been framed, conclusion of trial will take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, present petition is allowed. 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.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

17.08.2015
vishnu