

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

**Criminal Misc.No.M-27467 of 2015**

**Date of Decision: August 26, 2015**

Shashi

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI**

Present: Mr.Nonish Kumar, Advocate, for  
Mr.Parveen Kumar Rohilla, Advocate,  
for the petitioner.

Mr.Kuldeep Tiwari, Addl.AG, Haryana.

**Naresh Kumar Sanghi, J.**(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Shashi, who has been booked for having committed the offences punishable under Sections 307,323, 324, 326 and 341 read with Section 34, IPC, in a case arising out of FIR No.754, dated 18.08.2014, registered at Police Station, Chandni Bagh, Panipat.

Learned proxy counsel contends that the charge-sheet (report under Section 173, Cr.P.C.) was presented under Sections 323, 324, 326 and 341 read with Section 34, IPC; during pendency of trial, the petitioner was granted bail by this Court vide order dated 20.01.2015 passed in Criminal Misc. No.M-1290 of 2015; at the time of consideration of the charges,

learned Area Judicial Magistrate took the cognizance of Section 307, IPC, and committed the case to the Court of Session vide order dated 30.01.2015; since the cognizance for the offence punishable under Section 307, IPC, was taken immediately after passing bail order by this Court and as such, petitioner could not be released on bail. He further submits that except two, all the prosecution witnesses including the injured have already been examined, therefore, further incarceration of the petitioner would not be of any worth. He also points out that the petitioner is neither required nor involved in any other case.

Learned counsel for the State, on instructions from ASI Krishan, Police Station, Chandni Bagh, Panipat, has not controverted the factual aspects narrated by learned proxy counsel for the petitioner.

After hearing learned counsel for the parties and going through the material available on record, the present petition is allowed. Petitioner-Shashi, s/o Ramphal, r/o Gautam School Wali Gali, Krishana Pura, Panipat, is ordered to be released on bail, during pendency of trial of the present case, subject to his furnishing bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Panipat.

**August 26, 2015**  
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**(Naresh Kumar Sanghi)**  
**Judge**