

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-31785 of 2015 (O&M)

Date of Decision: 28.10.2015

Arvind Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. N.S. Shekhawat, Advocate
for the petitioner(s).

Mr. Ashish Yadav, Addl.A.G., Haryana.

Mr. Abhimanyu Singh, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

CRM-35504-2015:

The application is allowed subject to all just exceptions.

Annexures P-9 and P-10 are taken on record.

Criminal Misc. No. M-31785 of 2015:

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.231 dated 27.5.2015 under Sections 148,

149, 323, 307, 506 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959 registered at Police Station Mahendergarh.

Learned counsel for the petitioner contends that except the allegation of pelting of stones, the petitioner has not been attributed with any injury and rather, it is the persons from the complainant's side who have caused death of Rajpal by causing head injuries. He refers to medical reports contained Annexures P3 to P5, which shows that the injuries suffered by the complainant's side are simple in nature, whereas the medical reports Annexures P6 to P-8 refers to the multiple injuries suffered by the petitioner's side, which have been attributed to the complainant's side. He further submits that the petitioner is in custody since 31.5.2015.

On the other hand, learned counsel for the complainant submits that it is the persons from the petitioner's side who have come to their house and caused injuries to them.

Learned State counsel, on instructions from ASI Kuldeep Singh, does not dispute the fact that the allegation against the petitioner is of pelting of stones, which is serious in nature, leading to the incident.

Heard.

Keeping in view the fact that except the allegation of pelting of stones, petitioner has not been attributed with any injury and the fact as to which party was the aggressor is yet to be established during trial, the present petition is allowed. The petitioner is admitted to regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the observations made here-in-above shall not be construed as any expression on the merits of the case. The trial Court shall decide the case on the basis of evidence as available on record.

October 28, 2015
AK

(HARI PAL VERMA)
JUDGE