

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

(258)

CRM-M-33288-2015

Decided on: November 02, 2015.

Binder Singh

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. G.S. Sidhu, Advocate, for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

This is second application for grant of regular bail in a case where the petitioner as member of unlawful assembly is alleged to have trespassed the house of complainant Rakesh Kumar. He was not armed with any weapon but is attributed role of having picked up brick and hitting on the head of the brother of the complainant i.e. Suresh.

I have considered the facts and circumstances of the case and gone through the MLR.

The petitioner has been attributed a fracture of the right temporal bone. The medical officer having examined the CT scan report being not sure of the injury, had left for consideration by the Board whether it was dangerous to life or not.

The petitioner has been in custody w.e.f. 16.09.2013. The complainant injured and other material witnesses have already been

examined. 11 more witnesses remain to be examined. Trial is likely to take a long time. Chances of tampering with the evidence, at this stage, appear to be remote.

Without expression of any opinion on merits of the case, petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not indulge in any similar activity of which he is accused of during pendency of the trial.

(M.M.S. BEDI)
JUDGE

November 02, 2015
harsha