

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-33700 of 2015

Date of Decision: October 06, 2015

Raj Kamal

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ashwani Bhardwaj, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.15 dated 27.01.2015 under Sections 323 and 307 IPC, registered at Police Station Satnali, District Mahendergarh.

Notice of motion.

Mr.Anmol Malik, Asstt. Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and contests the petition.

Police record is also available.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, present petitioner was armed with stick (danda) and he gave injury on the

head of the complainant, which was declared dangerous to life. The present petitioner was only armed with stick and not with any deadly weapon like sharp-edged or fire arm weapon. He is in custody since 23.03.2015. He is not required for any investigation or interrogation purposes nor anything is to be recovered from him. The statements of material witnesses have already been recorded.

As argued, an application under Section 319 Cr.P.C. was filed to summon the additional accused, which has been dismissed by the trial court and against that order, revision petition is pending before this Court and this Court has stayed the final order. Learned counsel for the petitioner further contended that there are only two injuries on the person of the injured.

The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 06, 2015
Vgulati

(INDERJIT SINGH)
JUDGE