

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36537 of 2015

.....

Date of decision:18.11.2015

Nawab and another

...Petitioners

v.

State of Haryana

...Respondent

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sarfraj Hussain, Advocate for the petitioners.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.159 dated 8.8.2015 (Annexure-P.1) registered for the offences under Sections 148, 149, 307, 506, 452, 427 IPC and Sections 25 of the Arms Act at Police Station Nagina, District Mewat.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Anmol Malik, learned Assistant Advocate General, Haryana has put in appearance and accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned Assistant Advocate General, Haryana appearing for the respondent-

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State and have gone through the record.

From the record, I find that as per the prosecution version Nawab was stated to have given injury with stone on the chest of the complainant and Juned was stated to be armed with 'Danda' and he gave 'Danda' blow to the complainant on hand. The injury dangerous to life has not been attributed to these accused and further they were not armed with deadly weapons.

Both the petitioners are in custody since 11.8.2015. They are not required for any interrogation and investigation purposes as they are in judicial custody. The presentation of challan and the trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Therefore, 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, this criminal miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- with one surety each in the like amount to the satisfaction of the trial Court/Duty Magistrate.

November 18, 2015.

(Inderjit Singh)
Judge

hsp