

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

(216)

CRM-M-36733-2015

Decided on: November 16, 2015.

Mandeep

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. Ajay Saini, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

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

Petitioner seeks concession of regular bail in a case registered at the instance of Akshay Kumar alleging that the petitioner along with other co-accused had attacked the complainant and his friend Vikrant after way-laying them. Petitioner is alleged to have given an iron rod on the head of Vikrant. The injury was described as dangerous to life by a private hospital.

On 30.09.2014 the doctor had described injury on the person of Vikrant as fracture and on 03.12.2014 it was described as dangerous to life without any sufficient reason. Besides this, Vikrant has already appeared as a witness.

It is not out of place to observe here that another FIR has also been registered against Vikrant, Akshay and others for the same occurrence dated 27.09.2014 regarding having constituted an unlawful assembly and making an attempt to kidnap Aman, real sister of the petitioner.

In view of said circumstances, prima facie, it will be debatable whether it is the case of self defence or a case of exceeding self defence. The petitioner, in said circumstances, can be granted the concession of bail having been in custody w.e.f. 06.10.2014.

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.

(M.M.S. BEDI)
JUDGE

November 16, 2015
harsha