

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-42270 of 2015

Date of Decision: December 18, 2015

Gurbachan Singh alias Pammi

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Hardeep Bisla, 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.67 dated 16.03.2015 under Sections 323, 325, 341, 506 and 34 IPC (Section 304 IPC added later on), registered at Police Station Bawani Khera, District Bhiwani.

Notice of motion.

On the asking of the Court, 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 though the petitioner is named in the FIR but the injuries are only stated to be inflicted by leg and fist

blows. Earlier, the FIR was registered under Sections 323 and 341 IPC etc. The occurrence took place on 15.03.2015 at about 1.00 P.M. There is delay of about 30 hours in recording the FIR and further the complainant Malkit Singh died in the hospital on 24.03.2015 i.e. after about nine days of receiving the injuries. The main allegations are against other co-accused, who have given injuries with *dandas* and *swords* etc.

The present petitioner is in custody since 07.05.2015. He is not required for any investigation or interrogation purposes. 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.

December 18, 2015
Vgulati

(INDERJIT SINGH)
JUDGE