

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

Criminal Misc.No. M-43519 of 2014

Date of Decision:-5.1.2015

Lakhan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE MEHINDER SINGH SULLAR

Present:- Mr.Amit Choudhary, Advocate for the petitioner.

Mr.Raj Kumar Yadav, DAG Haryana for the State.

Mehinder Singh Sullar, J. (Oral)

The petitioner has preferred the instant petition, for the grant of concession of regular bail, in a case registered against him along with his other co-accused, vide FIR No.205 dated 16.6.2014 (Annexure P1), on accusation of having committed the offences punishable under sections 307, 323, 324, 326 and 506 read with section 34 IPC by the police of Police Station Sector 55, Faridabad.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable help and after deep consideration over the entire matter, to my mind, the present petition for regular bail deserves to be accepted in this context.
4. Precisely, the prosecution, inter-alia, claimed that on 15.6.2014, all the accused attacked the complainant party. Petitioner Lakhan was stated to have caused three blows with the knife to Ashok Kumar injured PW. As per the discharge certificate (Annexure P4), he (Ashok Kumar) injured PW sustained incised wounds on left arm 3 cm x 0.5 cm, on right shoulder 2 cm

x 2.5 cm and 3 x 0.5 cm on right lower back side. Keeping in view the dimensions and seats of the injuries as to whether the penal provision of section 307 IPC is attracted to the case of the petitioner or not, inter-alia, would be a moot point to be decided after receipt of evidence of the parties during the course of trial by the trial court.

5. Be that as it may, the petitioner was arrested on 24.6.2014. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous involvement in any other criminal case. The final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the totality of the facts & circumstances, emanating from the record, as indicated here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petition for regular bail is accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

7. Needless to mention that, nothing observed here-in-above, would reflect on the merits in the trial of main case, in any manner, as the same has been so recorded for the limited purpose of deciding the present petition for regular bail only.

5.1.2015
AS

(Mehinder Singh Sullar)
Judge