

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

**Crl. Misc. No. M-4496 of 2015
Date of decision : 16.02.2015**

KaluwaPetitioner

versus

State of Haryana ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.
Mr. Vikas Chopra, DAG, Haryana.

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, who has been booked for having committed the offence punishable under Sections 148, 149, 323, 324, 307, 506 IPC and 25/54/59 of Arms Act, in a case arising out of FIR No.166 dated 06.10.2014, registered at Police Station Hassanpur, District Palwal.

As per the allegations in the FIR 10 days prior to the date of occurrence, the petitioner along with co-accused had gone to the complainant to take Rs.50,000/- and on refusing the petitioner and co-accused started beating the complainant. The role attributed to the present petitioner is that he caught the hair of Krishan and Sanjay son of Natho gave a knife blow in the abdomen of Krishan. Then the petitioner told Banka as to what you are watching, give a knife blow to him. On hearing this, on the call of the petitioner, Banke gave a

knife blow. Similar allegations were made against Banke and Bhu Dev, who have been found innocent and no challan has been presented against them. The petitioner is in custody since 17.10.2014. Apart from the present FIR, Krishan was facing a criminal trial initiated by father of the injured and Sanjay had been acquitted. Injury under Section 307 IPC has been attributed to the present petitioner. After presentation of the challan, the trial is likely to take some time to conclude.

Keeping in view the above facts, the petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Palwal.

16.02.2015
Vinay

(RITU BAHRI)
JUDGE