

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

CRM-M No.7631 of 2015

Date of decision: 29th June, 2015

Vikas Dhull

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. S.P. Chahar, Advocate
for the petitioner.

Mr. Dhruv Dayal, Dy. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Vikas Dhull in this petition seeking regular bail in case FIR No.5 dated 04.01.2014 registered at Police Station City Rohtak, District Rohtak under Sections 307/452/328/34 IPC and Section 3(2)(5) of SC & ST Act, 1989, are that on 03.01.2014 he along with his co-accused/non-applicant gave injuries to Vikas @ Boni. Initially offence punishable under Section 307 IPC was recorded in the FIR.

It has been argued on behalf of the petitioner by Mr.S.P. Chahar, Advocate that as per the evidence of the expert Dr. Ashok Chauhan PW19 all the injuries on the person of the injured have since

been opined to be simple in nature and has sought to challenge applicability of the provisions of Section 307 IPC.

Though these arguments are sought to be opposed on behalf of the State submitting that trial is at its fag end, however, having regard to the fact that the petitioner has already undergone incarceration for a period of more than one year and that the applicability of the provisions of Section 307 IPC is debatable, no useful purpose will be served by keeping the petitioner behind the bars in this case. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 29, 2015
rps