

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 11198 of 2016
Date of decision : August 22, 2016

Kapil

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present:- Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Advocate
General, Haryana.

AJAY TEWARI, J (oral).

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No. 260 dated 11.8.2015 under Sections 148,149,323,452,506,302 IPC at Police Station Chandhut, District Palwal.

As per the FIR there are allegation against the petitioner to have formed unlawful assembly and to have caused injuries to the members of the complainant party in prosecution of their common object. One of the members of the complainant party namely Udai Singh is shown to have died due to the injuries sustained in that altercation.

Learned counsel for the petitioner states that there is no attribution to the petitioner of any injury to the deceased. The petitioner has undergone custody for a period of almost one year.

Learned Additional Advocate General, Haryana on instructions states that on perusal of the disclosure statement of the petitioner in police custody, it transpired that he has also caused injuries to the deceased.

Be that as it may, in the circumstances, keeping in view the above facts and the period of custody, without commenting on the merits of the case, I do not think it appropriate to deny the concession of bail to the petitioner. The petitioner be released on regular bail to the satisfaction of the Trial court/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

(AJAY TEWARI)
JUDGE

August 22 , 2016
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No