

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

(205)

CRM-M-24916-2016

Decided on: September 29, 2016.

Chander Bhan

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ravi Sharma, Advocate, for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody w.e.f. 03.01.2016 in a case registered at the instance of complainant Prithvi alleging that on 13.12.2015 the complainant along with Desh Raj and Krishan Lal while traveling in car, were assaulted by the petitioner and 5-6 other persons.

Application for bail has been opposed inter alia on the ground that out of eight injuries on the person of complainant, five have been found grievous. The petitioner, as a member of unlawful assembly, is attributed injury No.8 on the left parietal region which had resulted in laceration. The said laceration on being subjected to x-ray has been found to be a simple injury with blunt weapon as per the report of the Board of doctors.

The petitioner has been in custody for the last more than nine months. Individual injury attributed to him being simple, he can be granted the concession of bail.

Similar circumstanced, co-accused of the petitioner have been granted the concession of bail. Mere fact that two accused persons named

in the FIR are absconding, is not sufficient enough to prolong the incarceration of the petitioner especially when challan has already been presented.

The petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the conditions that he will not indulge in similar activity of which he is accused of, during the entire period of trial and will not make any attempt directly or indirectly to threaten or pressurize the witnesses or any other person acquainted with the facts of the case.

(M.M.S. BEDI)
JUDGE

September 29, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No