

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

CRM-M No. 26829 of 2016

Date of decision : November 09, 2016

Kishan

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Manish Soni, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG Haryana

Mr. Ankur Lal, Advocate
for the complainant.

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.287, dated 13.11.2015, registered under Sections 148, 149, 323, 506, 302 of the IPC, at Police Station Farrukh Nagar, Gurgaon.

Counsel for the petitioner has argued that the entire family of the petitioner has been implicated. Both sons of the petitioner are in custody and even as per the FIR the only injury attributed to the

petitioner is blow on the leg but in the MLR no injury on the leg of the deceased has been shown and the petitioner has now been in custody for one year.

Learned Addl. AG Haryana as well as counsel for the complainant have accepted these factual assertions. Counsel for the complainant has, however, stated that in fact the petitioner was the instigator.

Be that as it may, without commenting upon the merits of the case, and considering the fact that two sons of the petitioner who are attributed injuries to the head of the deceased are in jail; the injury attributed to the petitioner was not found in the MLR, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

November 09, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No