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

CRM-M-31832 of 2016

Date of decision: September 14, 2016

Krishan Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Satbir Gill, Advocate
for the petitioner.

Mr. Karan Sharma, AAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.144 dated 11.05.2016, under Sections 323, 324, 326, 341, 506, 34 of Indian Penal Code, 1860, registered at Police Station Rania, District Sirsa, petitioner was arrested on 24.06.2016 and is in jail since then.

Learned counsel for the petitioner has pointed out that during investigation, Deputy Superintendent of Police found that the complainant party was equally guilty of entering the house of accused and as a result of which, cross-case has been affected. The challan has admittedly been filed and the offences are triable by the Magistrate.

In that view of the matter, there is no point in continuing the detention of the petitioner in jail since the trial will take its own time particularly because investigation reveals a different picture

altogether, namely, the complainant party also being at fault.

In that view of the matter, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper with the prosecution evidence and shall not threaten the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

September 14, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No