

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

**CRM-M No.38265 of 2016 (O&M)
Date of Decision : 01.12.2016**

Balkar

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rahul Rathore, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Mr. Vimal Singh, Advocate
for respondent No.2-complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.360 dated 02.06.2015 registered under Sections 148/302/341/307/324 read with Section 149 IPC and Section 34 IPC at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner has argued that the petitioner was summoned under Section 319 Cr.P.C.

Learned counsel for the complainant states that the petitioner caused injuries to the deceased and the injured witness. Counsel for the petitioner has further argued that (without admitting the same) the worst case against the petitioner is that he caused simple injuries to the witness and simple injuries to the deceased. Actually the deceased died due to one

stab wound which was attributed to the nephew of the petitioner and the entire family has been implicated.

Learned counsel for the complainant and learned Deputy Advocate General have not been able to deny the fact that the injuries which are attributed to the petitioner (rightly or wrongly) are superficial injuries.

In the circumstances I see no reason to subject the petitioner to arrest now when the trial is on its way.

In the circumstances, the interim order dated 25.10.2016 is made absolute.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

01.12.2016
pooja sharma-I

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No