

Sr. No. 230

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-38450 of 2015
Date of Decision: 15.02.2016

Jagtar Singh @ Hunny

...Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. G.S.Nahel, Advocate,
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.219 dated 30.07.2015, under Sections 323, 325, 307, 452, 506, 34 of Indian Penal Code, registered at Police Station Baldev Nagar, District Ambala, Haryana.

FIR was registered on the statement of Vikki Garg/injured.

Occurrence is stated to be of the intervening night of 27/28.07.2015.

As per version of the complainant, an assault took place and he was attacked by a number of persons including Mohinder and Rupinder Singh who gave iron rod blows.

Insofar as the present petitioner and one Rakesh Kumar are concerned, they are stated to have given danda blows on the head and body of the complainant.

Learned counsel appearing for the petitioner would contend that as per medical opinion the injury which was declared grievous in nature is on account of the iron rod blows attributed to non-applicant and co-accused, namely, Mohinder Singh and Rupinder Singh. Counsel has further adverted to the deposition of the complainant/injured who has been examined before the trial Court as PW-5 and as per which no role whatsoever has been attributed to the present petitioner.

Petitioner has been in custody since 05.08.2015.

Without making any observations on merit, petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ambala.

15.02.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**