

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

CRM-M-40823-2015 (O&M)
Date of decision : 26.02.2016

Neetu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Kunal Dawar, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Ayub Khan.

Mr. S.K. Biriwal, Advocate,
for the complainant.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.479 dated 01.08.2014, registered under Sections 323, 506, 34, 307 (added subsequently) of the Indian Penal Code, at Police Station City Ballabgarh, District Faridabad.

It is contended that the injured-witness, Umesh, has not supported the case of the prosecution. The main accused, Bittu, who is attributed the injury attracting Section 307 IPC, has been enlarged on

bail by this Court. The petitioner is in custody since 03.08.2014.

On the other hand, the learned State counsel, during the course of arguments, has furnished a copy of the OPD card of the injured, Umesh, which reads that on account of the treatment, the speech difficulty faced by the patient has now improved. The same is taken on record as Mark 'A'.

Considering the fact that the main accused has already been allowed bail and the injured witness has not supported the case of the prosecution, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

26.02.2016
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(JITENDRA CHAUHAN)
JUDGE