

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

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CRM-M-41493-2015

Date of Decision: February 2, 2016

ANIL KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Deepak Girotra, Advocate for the petitioner

Mr.Vikas Malik, DAG, Haryana

M.M.S.BEDI, J.(Oral)

The petitioner seeks concession of regular bail in a case registered at the instance of Sunil Kumar alleging that on 2.10.2014 the petitioner along with Bhupinder, Sandeep and Ravinder came on motorcycle outside the house of the complainant and hurled abuses to his son. When the complainant came out to prevent them from abuses the accused present caught hold the complainant and his son and gave knife blow on the stomach of the complainant.

Allegation against the petitioner is that he caught hold of the complainant from behind, and Bhupinder gave a knife blow in the stomach of complainant.

The petitioner has not been attributed any injury. The petitioner is in custody w.e.f. 4.8.2015. It is important to observe here that the co-accused of the petitioner, Bhupinder, Sandeep and Ravinder had been tried and convicted on 7.10.2015, whereas the petitioner was arrested on 4.8.2015 and the case against him was committed for trial on 21.10.2015, when the co-accused stood already convicted. It is also not out to place to observe that petitioner had not been declared proclaimed offender by the time he was arrested and produced before the Area Magistrate and committed to the

Sessions Court.

Taking into consideration the role attributed to the petitioner and period of detention suffered by him for a period of about five months and the status of trial i.e. all the material witnesses having already been examined again, chances of tampering with the evidence being remote, the petitioner can be granted the concession of bail. Accordingly, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial court.

February 2, 2016
TSG

(M.M.S.BEDI)
JUDGE