

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

**CRM-M No.9044 of 2016 (O&M)
Date of Decision: 04.04.2016**

Sonu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Lekh Raj Sharma, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Satpal.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Sonu in case FIR No.1558 dated 19.11.2015, under Sections 324, 34, 506, 307 of the Indian Penal Code, registered with Police Station City Panipat, District Panipat (**Annexure P-1**).

The wife-Kusum of the injured/victim-Sanjeev was given beatings by him and turned out of the house on 03.11.2015 at around 9:00 PM. She reached her home at Panipat at around 10:00 PM and her husband-Sanjeev had followed her to her parental home. The occurrence happened on the gate where two accused brother-in-laws (Saala), namely, Veerpal and Atender along with their friend-Sonu (present accused) were standing.

As per the allegations on sighting Sanjeev Kumar, the present accused-Sonu and the other co-accused Atender are alleged to have caught hold of Sanjeev while other co-accused Vedpal inflicted 7-8 injuries on the neck, chest and back of Sanjeev with a *knife*.

It is contended that the name of the petitioner has been included after 10 days of the occurrence by way of the statement of the injured-Sanjeev under Section 161 Cr.P.C. although the contents of the FIR lodged by his brother-Vinod Kumar contained the version as told to him by the injured-Sanjeev Kumar. That apart, the petitioner happened to be at the site being a friend, and even the role is of catching hold of the injured-Sanjeev.

The petitioner is stated to be in custody since 30.11.2015 and does not have any criminal antecedents and none out of 17 cited PWs has been examined.

Learned State Counsel, assisted by ASI Satpal, admits the custody period and the fact that the petitioner is not involved in any other criminal case. He also concedes that the evidence of 17 PWs is yet to be commenced.

Without commenting on the merits of the case, keeping in view the role attributed to the petitioner, custody period and the fact that the petitioner is not involved in any other case, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

April 04, 2016

Gagan

**(JASWANT SINGH)
JUDGE**