

CRM-M-9427-2016

[1]

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-9427-2016

Date of Decision: 26.04.2016

Ajay

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

Mr. G.S. Salwara, DAG, Haryana.

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

Petitioner is an accused in a case registered at the instance of Sahil Kathuria alleging that on 18.08.2015, the petitioner along with Saurabh @ Nepali and three others went to the shop of complainant where Rakesh Kumar was already present. The petitioner along with Saurabh started abusing Rakesh Kumar and assaulted him. The petitioner has been attributed iron-rod blows on the head of Rakesh Kumar. In the present case, the petitioner was arrested on 24.08.2015 and was granted bail on 25.08.2015 but on account of offence under Section 307 Indian Penal Code having been added, he was again taken into custody on 08.11.2015. It has been informed that the injured stands discharged from the hospital.

It will be debatable during the course of trial

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whether the injury with blunt weapon in this case would attract offence under Section 325 IPC or it would constitute the offence under Section 307 IPC, depending upon the evidence produced

Taking into consideration the period of detention and the status of the trial, the petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

April 26, 2016
kapil

(M.M.S. BEDI)
JUDGE