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

CRM-M No.11494 of 2017
Date of Decision: 24.04.2017

Jani

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Y.S. Rathore, Advocate
for the petitioner.

Ms. Gagandeep Kaur, A.A.G., Haryana.

Mr. Rahul Rathore, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.932 dated 11.10.2016, registered under Sections 148, 149, 323, 324, 326, 302, 506 IPC at Police Station Sadar Karnal.

The FIR was registered at the instance of Basir son of Ismail Khan with the allegations that Salma, Salamuddin and Imrana caught hold of Nazir and the petitioner along with Dilshad attacked him with sword, gandasi and lath. Jakir gave sword blow on the head of Nazir. Dilshad gave a gandasi blow on Nazir. There was no attribution qua the petitioner. After about 10 days of the occurrence, a supplementary statement was

recorded to the effect that Jani gave a blow of sword like knife in the chest of Nazir.

Learned counsel for the petitioner submitted that even as per the aforesaid supplementary statement, there was no such injury found in the chest of Nazir, whereas the injury which was found in the stomach did not co-relate with the allegations made in the supplementary statement.

Learned State counsel on instructions from SI Suraj Bhan contended that only one prosecution witness has been examined so far and the next date is fixed for 29.04.2017.

Keeping in view the original version recorded in the FIR wherein no attribution was made to the petitioner and the subsequent supplementary statement in the context of alleged attribution not corresponding to the actual injury found on the person of Nazir, I deem it appropriate to enlarge the petitioner on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 24, 2017

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No