

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 212

CRM-M-13531-2017

Decided on : 03.05.2017

Sunder and another

..... Petitioners

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.B.S.Sudan, Advocate, for the petitioners.

Mr.Manish Bansal, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through this petition filed under Section 439 Cr.P.C., the petitioners seek the concession of regular bail in FIR No.33, dated 09.01.2017, registered under Sections 147, 148, 323 and 452 IPC (Sections 307 and 34 IPC added later on), at Police Station Hisar Sadar, District Hisar.

Seeking regular bail for the petitioners, learned counsel submits that the petitioners are in custody for the last three months; there is no other criminal case pending against them; the challan has been filed; they are no longer needed for investigation purposes; as none of the 15 witnesses cited by the prosecution has been examined, the trial is likely to take a long time to conclude; the injuries attributed to the petitioners are not specific; at the most the attributed injuries are simple in nature and on a non-vital part of one of the injured-mother of the complainant.

Learned State counsel opposes the grant of bail to the petitioners on the ground that the co-accused have inflicted injuries which have been declared dangerous to life.

After considering the above submissions, I am of the opinion that the petitioners be admitted to regular bail for the reasons that the petitioners are

in custody for the last three months; there is no other criminal case pending against them; the challan has been filed; they are no longer needed for investigation purposes; as none of the 15 witnesses cited by the prosecution has been examined, the trial is likely to take a long time to conclude; the injuries attributed to the petitioners are not specific; at the most the attributed injuries are simple in nature and on a non-vital part of one of the injured-mother of the complainant.

Bail to the satisfaction of the trial court.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioners, if they are found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioners.

03.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No