

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

CRM-M-18019-2017 (O&M)

Date of Decision: 24.05.2017.

Sumit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Pawan Kumar Hooda, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 the Cr.P.C seeking regular bail in case FIR No.251 dated 29.09.2016 registered under Sections 307, 323, 341 and 506 read with Section 34 IPC at Police Station Israna, District Panipat.

Learned counsel for the petitioner contends that initially, the FIR was registered under Sections 323, 341 and 506 read with Section 34 IPC however, subsequently, on the basis of medical opinion given by the treating doctor dated 20.1.2017 offence under Section 307 IPC has also been added. It is contended that the Section 307 IPC has been wrongly added in the face of the observations that the injury could have been dangerous to life if not treated in time. It is asserted that it is suggestive of the fact that the injury as such was not dangerous to life. It is further asserted that the petitioner was admitted

to interim bail and did not misuse the concession of bail. It is further contended that the dispute is inter-se the family members.

On the other hand, the learned State counsel states that there are specific allegations against the petitioner. The petitioner caused injuries on the head of the complainant with iron rod. The recovery of iron rod was also effected.

Heard.

Considering the fact that the challan stands presented, the dispute is inter-se the family members, the petitioner did not misuse the concession of bail and out of 12 prosecution witnesses, none has been examined so far, therefore, it can be safely concluded that the conclusion of trial will take a long time, the petitioner is not involved in any other FIR, so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

24.05.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

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