

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

CRM-M-23807-2017 (O&M)
Date of decision : 22.11.2017

Rajnish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Aman Pal, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by ASI Ved Pal.

Mr. Manoj Kumar Pundir, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.311 dated 27.08.2016, registered under Sections 307, 323 and 506 read with Section 34 of the Indian Penal Code, at P.S. Indri, District Karnal.

Heard learned counsel for the parties and perused the case file.

This is the third petition moved by the petitioner for grant of regular bail. The second petition bearing No.CRM-M-9702-2017, was dismissed by this Court vide order dated 19.04.2017, with a direction to the trial Court to conclude the trial expeditiously, preferably within six weeks from the date of receipt of certified copy of said order. Thereafter, the complainant moved an application under Section 311 Cr.P.C. for examination of the doctor, who treated the complainant at the Trauma Centre, PGIMER, Chandigarh, during 26.07.2016 to 02.08.2016. The said application was dismissed by the trial Court vide order dated 31.05.2017.

Feeling aggrieved, the complainant preferred a petition under Section 482 Cr.P.C. bearing No.CRM-M-21071-2017, wherein, while issuing notice of motion, this Court has stayed the passing of final judgment by the trial Court.

The petitioner is in custody since 29.08.2016. All the prosecution witnesses stand already examined.

In view of the peculiar facts and circumstances of the present case as discussed above and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Nothing noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

22.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No