

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

**Criminal Misc. No.M-31438 of 2017
Date of Decision: 30.08.2017**

Suresh Kumar

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. H.N. Sahu, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.460 dated 7.5.2017 under Sections 323, 325, 506 IPC and Sections 120-B, 34, 307/201 IPC (added later on) and Section 25 of the Arms Act, registered at Police Station City, Gurugram.

Learned counsel for the petitioner contends that the name of the petitioner does not figure in the FIR, however, he is in custody since 25.6.2017. The petitioner has been dragged in the case for the reason that he is cousin of alleged accused namely Mahavir Dahiya and he has been implicated on the basis of some mobile calls.

Learned State counsel, on instructions from ASI Jitender Kumar, has argued that the injured Narain has received as many as 40 injuries and there are four fractures on his legs and hands.

I have heard learned counsel for the parties.

Admittedly, investigation has not yet been completed and the petitioner has not been specifically named in FIR. Considering the fact that the petitioner, who is stated to be 59 years of age, is in custody since 25.6.2017 and trial in the case may take long time, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of her bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that the observations made hereinabove shall not be construed as any expression on the merits of the case.

August 30, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No