

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

CRM-M-34375-2017 (O&M)

Date of decision: - 22.9.2017

Pawan

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: - Mr.B.S. Tewatia, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J (ORAL)

This is a petition under Section 439 Cr. P.C. for grant of regular bail to petitioner in case FIR No. 358 dated 8.10.2016 under Section 379-B, 34 IPC, registered at Police Station Hathin, District Palwal.

Learned counsel for the petitioner submits that though it is alleged in the FIR that petitioner & co-accused gave beatings to the complainant-Sukh Ram so far as no MLR of the complainant-Sukh Ram is already on record. He further submits that there is a delay of 3 days in lodging of the FIR.

It is further submitted that the statement of the complainant-Sukh Ram (PW-2) has already been recorded and only the statements of official witnesses are yet to be recorded. It is further submitted that petitioner is in judicial lock up since 31.1.2017 and petitioner is on regular bail in another two cases and not misusing the concession of bail in the said cases.

Learned State counsel, on instructions from ASI Jamshed Ali, does not dispute the factual position.

Keeping in view the above fact and without commenting upon the merits of the case, present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bonds/surety bonds to the satisfaction of the trial Court/CJM Palwal.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

22.9.2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No