

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

CRM-M-39169-2017 (O&M)

Date of decision: 24.11.2017

Krishan

... Petitioner

Vs

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K.Panwar, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Arvind Singh Sangwan, J.(Oral)

Prayer in this petition is for grant of regular bail in case FIR No.288 dated 19.07.2017 registered under Sections 148/149/323/324/326/341/379-B/506 IPC (Section 25 of Arms Act was added later on) at Police Station Chandhut, District Palwal.

Learned counsel for the petitioner submits that the co-accused of the petitioner – Rajesh has been granted concession of anticipatory bail by this Court vide order dated 28.09.2017. It is further submitted that the petitioner is in judicial custody since 20.08.2017 and the investigation is complete and the challan has been presented. It is further submitted that there are about 22 witnesses cited in the list of witnesses attached to the report under Section 173 Cr.PC.

Learned State counsel on instructions from ASI Abhay Pal submits that injury under Section 326 IPC is attributed to the petitioner and the injured Ashok has sustained grievous injury.

In reply, learned counsel for the petitioner submits that the petitioner will deposit an amount of Rs.50,000/- before the trial Court by way of demand draft in favour of the injured – Ashok.

Without commenting on the merits of the case and considering the facts that the petitioner is in custody since 20.08.2017; the fact that the investigation is complete and the challan has been presented and the fact that 22 witnesses are cited by the prosecution, the present petition is allowed. The petitioner – Krishan is directed to be released on bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Palwal. The bail will be subject to the payment of an amount of Rs.50,000/- by way of demand draft in favour of the injured Ashok at the time of furnishing bail/surety bonds, which will be handed over to the injured Ashok without prejudice to his rights of leading evidence before the trial Court.

The present petition stands disposed of.

24.11.2017
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(Arvind Singh Sangwan)
Judge

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| 1. Whether speaking/non-speaking? | Yes/No |
| 2. Whether reportable? | Yes/No |