

CRM-M-42234 of 2017

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

CRM-M-42234 of 2017
Date of Decision: 16.11.2017

Yatin @ Mithu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Ravinder Malik (Ravi), Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.
Mr. Deepak Arora, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant second petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Yatin @ Mithu in a case arising from FIR No.0360 dated 03.07.2017 registered under Sections 323, 324, 326, 341, 427, 506 and 34 IPC at Police Station Pehowa, District Kurukshetra.

According to the prosecution, in the evening of 02.07.2017, petitioner along with his accomplice in furtherance of their common intention armed with dangerous weapons, voluntarily caused grievous injuries to complainant Kunal Patel and also damaged his motorcycle extending threat of dire consequences.

Learned counsel for the petitioner *inter alia* contends that the petitioner is in custody since 06.07.2017. Challan has been presented in the Court. The conclusion of trial shall take a long time. No useful purpose

would be served by detaining the petitioner in custody.

Ravinder Singh
2017.11.17
I attest to the accuracy and
authenticity of this document

On the other hand, learned State counsel assisted by learned

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counsel for the complainant, vehemently opposed the prayer for grant of regular bail to the petitioner submitting that during the pendency of this very case, the police has got registered two more cases under Section 506 IPC against the petitioner for intimidating the police officials. Parents of the petitioner caused injuries to complainant Kunal Patel in the Court premises when he has gone on *pairvi* of this case for which also an FIR has been registered against them. The entire family of the petitioner is a habitual offender and is involved in seven criminal cases.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned with a warning to him that he would not indulge in any other criminal activity of any nature in future. It is clarified that in the eventuality of registration of any criminal case against the petitioner, he would be immediately taken into custody in this case.

November 16, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No