

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

CRM M-43119 of 2016 (O&M)

Date of Decision: 30.01.2017.

Satish Kumar @ Aasha Ram

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Aditya Sanghi, Advocate,
for the petitioner.

Mr. Saurav Mohunta, DAG, Haryana.

Dr. Anmol Rattan, Sr. Advocate with
Mr. Ashwani Markenday, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking regular bail in case FIR No.197 dated 31.05.2016, registered under Sections 307, 323, 325, 506 and 148 read with Section 149 IPC and Sections 25 and 27 of Arms Act at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioner refers to Annexure P-3 to contend that the similarly placed persons, Satish Kumar @ Asha, Vikash and Surender @ Shailender have been admitted to bail by this Court. He further states that the petitioner has been attributed injury on the non-vital part of injured Subhash which has been declared grievous in nature. He further states that the petitioner has not caused any injury

to Manoj, who is stated to have been in vegetative state. The petitioner is in custody since 3.6.2016. The nature of the weapon is blunt.

On the other hand, the learned State counsel submits that one of the injured Manoj Kumar has been rendered into the vegetative state due to the injuries. The challan stands presented.

The learned Senior counsel appearing for the complainant states that the co-accused Surender @ Shailender who has been admitted to bail by this Court vide order dated 16.11.2016 has been repeatedly threatening the complainant. The complainant is constrained to move a petition for cancellation of bail.

I have heard the learned counsel for the parties and have gone through the case file.

Considering the fact that the challan stands presented, the petitioner has not caused any injury to injured Manoj, the petitioner is in custody since 3.6.2016, out of 17 prosecution witnesses, none has so far been examined, therefore, it can be safely inferred that the conclusion of trial will take a long time, so, without commenting on the merits of the case, the present petition is allowed. The 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.

30.01.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No