

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-47840 of 2017

Date of Decision: 20.12.2017

Surinder Kumar

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

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

Present:- Mr. J.S. Thind, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Jagjit Gill, Advocate
for the complainant.

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.220 dated 27.10.2017 under Sections 323, 324, 325, 506, 34 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act registered at Police Station Ellenabad.

Learned counsel for the petitioner states that the petitioner is in custody since 4.11.2017. Initially, in addition to aforesaid sections the FIR was registered under Sections 25 and 27 Arms Act as well as Sections 365, 367 and 379-B IPC also, but during the course of trial, no offence

under Sections 365, 367 and 379-B IPC and Sections 25/27 Arms Act was found established against the petitioner and accordingly, Sections 365, 367 and 379-B IPC and Sections 25/27 Arms Act were deleted in the FIR.

Mr. Jagjit Gill, Advocate has put in appearance on behalf of the complainant and filed his vakalatnama in Court which is taken on record. He has argued the considering the nature of allegations levelled against the petitioner, he does not deserve the concession of regular bail.

On the other hand, learned State counsel has also argued that allegations against the petitioner are serious in nature.

Having heard learned counsel for the petitioner and considering the fact that the petitioner is in custody since 04.11.2017 and trial in the case shall take long time and Sections 365, 367 and 379-B IPC and Sections 25/27 Arms Act were deleted on the basis of investigation, I deem it appropriate to release the petitioner on regular bail.

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

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

December 20, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No