

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-665 of 2017

Date of decision : January 18, 2017

Subash Chander

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Ms Kamalpreet, Advocate, for the petitioner
Mr. Deepak Sabharwal, Addl. AG, Haryana, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Subhash Chander in this regular bail application under section 439 Cr.P.C. are that on 8.8.2016 petitioner along with his co-accused non-applicant have caused injuries to complainant Prem Dass.

The contentions of counsel for the petitioner are that the petitioner has been attributed four injuries by means of kappa and out of which one injury on the right middle finger has been subsequently opined to be covered under section 326 IPC and that the petitioner is in custody for the last more than five months and that the opinion attracting section 326 IPC is a subsequent belated one. Though factual fact is not disputed by the learned State counsel but has sought to oppose the bail.

Keeping in view the substantive period of incarceration and nature of injuries being on non-vital part and the fact that the trial is not likely to be concluded in near future, without adverting to the merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sirsa.

The present petition stands disposed off accordingly.

January 18, 2017
'tiwana'

(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No