

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

**CRM-M-8150 of 2017
Date of Decision: 02 June, 2017**

Sandeep @ Chotia

...Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Virendra Rana, Advocate
for the petitioner.

Mr. Deepak Sabherwal, Addl.AG, Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that on the day of occurrence i.e. 23.10.2016 the petitioner was in a drunken state along with his co-accused Damender @ Dhamli while sitting in front of liquor shop and complainant Naveen @ Kaif along with Navdeep and Sandeep too were consuming liquor when a dispute arose between them, whereby, it is alleged that accused/petitioner side has driven a Xylo car bearing No.HR-61A-2428 and in the process hit the motorcycle, whereby, motorcycle of the complainant was damaged along with his Xylo car.

The contentions of the learned counsel for the petitioner that no offence under Section 307 IPC is made out and it is purely a case of accident as there is no history of previous enmity between the parties and that nothing is to be recovered from the petitioner.

Learned State counsel opposed the grant of bail on the grounds of seriousness of allegations and heinousness of offence.

Appreciating the submissions, admittedly the petitioner is in custody since 13.11.2016 and that nothing is suggestive from the medical records, wherein, only simple fracture on non-vital part have come about. In view thereof and keeping in view that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

Records of the trial Court be sent back.

June 02, 2017
aarti

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No