

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

CRM-M-9702 of 2017 (O&M)

Date of decision : 19.04.2017

Rajnish

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Munish Mittal, Advocate for the petitioner.

Mr. Arun Kumar, AAG, Haryana

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.311 dated 27.08.2016, registered under Sections 307, 323 and 506 read with Section 34 IPC, at Police Station Indri, District Karnal.

The learned counsel for the petitioner states that the petitioner has been falsely implicated in the present case. There is delay of about one month in lodging the present FIR as the alleged occurrence took place on 25.07.2016 and FIR was registered on 27.08.2016. The petitioner is in custody since 29.08.2016. Considering the medico-legal examination of the injured, no case under Section 307 IPC is made out.

On the other hand, the learned State counsel opposes the

present bail application and states that there are specific allegations against the petitioner. As per the MLR, the injured has suffered injuries of intense gravity and magnitude on his chin, nose and entire face.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

The allegation against the petitioner, who is the real brother of complainant, Babita, is that he along with co-accused, armed with an iron punch, attacked the husband of the complainant due to a grudge that they had performed love marriage and caused several injuries on his face. Therefore, keeping in view the seriousness of the offence; nature of injury; active role of the petitioner; and the weapon used in the crime, no case is made out to grant the relief sought by the petitioner.

Dismissed.

However, keeping in view the fact that the petitioner is in custody since 29.08.2016, the trial Court is directed to conclude the trial expeditiously, preferably within six weeks from the date of receipt of certified copy of this order.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

19.04.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No