

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

271

CRM-M-13951-2018

Date of Decision: July 25, 2018

Dishant

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr.Piyush Aggarwal, Advocate for the petitioner.

Mr. M.D. Sharma, AAG, Haryana.

Sudhir Mittal, J. (Oral)

The petitioner-Dishant son of Sanjay, seeks grant of regular bail in case FIR No.787, dated 07.09.2017, registered at Police Station Jhajjar, under sections 323/307/506/34 IPC.

2. According to the FIR, the petitioner inflicted an injury on the head of the injured person with an iron rod.

3. Learned counsel for the petitioner submits that as per MLR, there are two injuries on the head of the injured person and both reflect hematoma i.e. clotting of blood. There is no fracture of the scalp. It is further submitted that the petitioner has been in custody since 08.09.2017 and although charges have been framed, the examination of PWs has not yet commenced. There is no other case pending against the petitioner and therefore, no useful purpose would be served by keeping the petitioner in custody indefinitely.

4. The prayer is opposed by learned State counsel on the ground that in fact, there is a depressed fracture of the scalp and as per the medical opinion, the said injury is dangerous to life. There are two injuries on the head of the injured person showing the intent of the petitioner and therefore, the petitioner should not be granted concession of regular bail. He however, does not dispute the fact that the examination of PWs has not commenced as yet.

5. Considering the fact that there is no other case pending against the petitioner and that the examination of the prosecution witnesses has not commenced, no useful purpose would be served by keeping the petitioner in custody as the trial may take long time to be concluded.

6. In view of the above, this petition is allowed and the petitioner- Dishant son of Sanjay is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned at Jhajjar.

July 25, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No