

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17278 of 2018
Date of Decision: 04.07.2018

Narender

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Mr. Tapan Yadav, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.79 dated 28.03.2018 registered for offences punishable under Sections 323/326/506/34 of Indian Penal Code (for short, "IPC") at Police Station Khol, District Rewari. (Offences punishable under Sections 307 IPC and 25 of the Arms Act were added later on).

Heard.

As per allegations in the FIR, the occurrence took place on 27.03.2018, when Raj Kumar alongwith Manoj and Surender had gone to see the shooting for drama in their village. Sikander was participating in that drama and asked for ₹500/- from Manoj for the role. A wordy duel took place between Manoj and Sikander and in the meanwhile, Ashok and Virender intervened and caused punches and leg blows to Manoj. In the meantime, petitioner-Narender armed with sharp edged weapon came there

and attacked Manoj on his head, shoulder and left hand, who suffered four injuries, out of which three were incised wounds and one was lacerated wound. As per opinion of the doctor, possibility of injuries being dangerous to life cannot be ruled out.

The petitioner was arrested in this case on 02.04.2018. In the occurrence he had also suffered three injuries out of which two were lacerated wounds. After investigation, challan has already been presented against the petitioner.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Narender is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

July 04, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No