

CRM-M-19058-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19058-2018

Date of Decision: 10th May, 2018

Manjeet Walia

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Brijender Kaushik, Advocate,
for the petitioner.

Mr. Sharad K. Yadav, DAG, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.85, dated 13.03.2018, registered at Police Station Madhuban, District Karnal, under Sections 307 and 389 of the Indian Penal Code, where the petitioner has been arrested on 13.03.2018.

Counsel for the petitioner contends that the dispute primarily is between two transporters, petitioner being one of the transporters and other being the complainant. As per the allegations, it has been stated that the petitioner had made an attempt to run his vehicle over the complainant and the complainant had moved aside and run away from the road, in which process, he had received minor scratches but he had not got his medical examination done. Counsel contends that the allegations are also to the effect that he had extracted money from the driver of the complainant.

CRM-M-19058-2018

Contention is made that the petitioner is in custody since March and it is a case of no injury and the allegations are concocted. Investigation is still continuing and the challan has not been presented till date, therefore, the petitioner be granted the benefit of regular bail is the case has been filed with an intention to browbeat the petitioner.

Counsel for the state, on instructions from SI Shiv Kumar, P.S. CIA, District Karnal, contends that the petitioner is a person, who is alleged to have extracted money illegally from the driver of the complainant and also made an attempt to kill the complainant. He, however, could not dispute the fact that no injury has been found on the person of the complainant.

Having considered the submissions of the counsel for the parties and keeping in view the allegations made against the petitioner as also the fact that no injury has been found on the person of the complainant, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Karnal.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

10th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No