

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.220

CRM-M-42275-2018

Date of decision : 01.10.2018

Deepak Malik

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.S. Budhwar, Advocate, for the petitioner.

Mr. M.D. Sharma, AAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.334 dated 19.06.2018, registered at Police Station Yamuna Nagar City, District Yamuna Nagar, under Sections 148, 149, 323, 365 and 506 IPC (Section 325 IPC added subsequently)

Learned counsel for the petitioner submits that Rajesh @ Shunty, who allegedly gave a rod blow on the left arm of the injured person has been granted regular bail vide order dated 12.09.2018 passed by this Court in CRM-M-38712-2018 (O&M) (Annexure P4). The only allegation against the petitioner is that he was also armed with an iron rod/gandasi. The petitioner is not attributed any injury and thus, regular bail may be granted to him.

Custody certificate dated 29.09.2018, prepared by Sh. Bhupender, Deputy Superintendent, District Prison, Yamuna Nagar, has been filed by the learned State counsel in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of two months and one day. There is no other criminal case pending/decided against him.

Keeping in view the fact that the investigation is complete and that the petitioner does not have any criminal antecedents, it would be just and appropriate to grant him regular bail. This is more so, in view of order dated 12.09.2018 passed by this Court in CRM-M-38712-2018 (O&M) (Annexure P4), whereby accused-Rajesh @ Shunty, who is attributed an injury, has been granted regular bail. Accordingly, the petition is allowed and the petitioner-Deepak Malik, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

01.10.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No