

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-47140 of 2017 (O&M)

Date of Decision: 23.01.2018

Kapil @ Banti

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Navneet Singh, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

Mr. Chanderhas Yadav, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.84 dated 25.3.2016 under sections 148, 149, 302, 307, 323, 325, 506 I.P.C, registered at Police Station, Rai, District Sonipat.

Learned counsel for the parties have been heard.

FIR has been registered on the statement of Tejpal in relation to an alleged occurrence dated 25.3.2016. As per prosecution version there was an altercation between two groups during the course of Holi celebrations. Deceased is Anil, who was inflicted injuries by the accused party with *Lathis* and sticks. Apart from the deceased, 13 members of the complainant party are stated to have suffered injuries.

Examination-in-chief of the complainant Tejpal and who was an eye witness to the occurrence has already been recorded before the Trial Court.

It has gone uncontroverted that no injury has been attributed to the present petitioner on the person of Anil deceased. The present petitioner

is stated to have inflicted *Lathi* blows upon Satish and Atul and such injuries have been opined to be simple in nature.

Petitioner has faced incarceration since 2.4.2016.

Trial is stated to be at the initial stage and would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Sonipat.

Liberty is granted to the prosecution as also to the complainant party to move an application seeking cancellation of bail, if, any attempt is made by the petitioner to intimidate or threaten the witnesses and to hamper the course of a free and fair trial.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

23.01.2018

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