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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.48339 of 2018 (O&M)
Date of Decision:.12.11.2018**

Nirdesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. Tanuj Sharma, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.371 dated 01.07.2018, under Sections 148/149/307/323 IPC and 25 of Arms Act, 1959, registered at Police Station Safidon, District Jind.

It is contended by learned Counsel for the petitioner that the petitioner was arrested on 09.07.2018 and report under Section 173 Cr.P.C has already been submitted by the police on 04.10.2018 and charges are yet to be framed.

Learned State counsel, on instructions from ASI Sultan Singh, has stated that there were total 11 accused and 6 have been declared innocent whereas 5 are in custody. He has opposed the bail application on the ground that there are four injured in the present case.

Heard both the sides and perused the paper book.

Undisputedly, regarding the same very occurrence cross FIRs

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have been registered against both the parties i.e FIR No. 371 against the petitioner side and FIR No. 397 dated 09.07.2018 under Sections 148/149/323/325 IPC against the opposite side.

Since the petitioner has also suffered injury in the occurrence, although, the injuries inflicted to him are simple in nature but keeping in view the fact that trial will take a long time and no useful purpose would be served by keeping the petitioner behind the bars. Even otherwise, which party is the aggressor will be seen after conclusion of the trial. Thus, it would be just and appropriate to grant the concession of bail to the petitioner. Therefore, this petition is allowed and petitioner- Nirdesh is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court / Duty Magistrate, concerned.

The above observations may not be construed as an expression of opinion on merits of case.

12.11.2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>