

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48732-2017 (O&M)
Date of decision: 12.01.2018

Deepak

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.349 dated 14.09.2017 under Sections 323, 324, 326, 341, 506 IPC, registered at Police Station Bhupani, District Faridabad, Haryana.

Learned counsel for the petitioner submits that as per opinion given by the doctor on 12.09.2017, none of the injuries was declared dangerous to life and the complainant was discharged after two days from the hospital. Counsel for the petitioner further submits that the petitioner is in judicial lockup since 30.09.2017. Counsel for the petitioner has further submitted that co-accused namely Gehla, who was named in the FIR and was attributed an injury, has been declared innocent and one accused has been declared juvenile and one another accused person namely Lalit has been granted bail by the Additional Sessions Judge. It is further submitted that challan has been presented and the injury under Section 326 IPC is not attributed to the petitioner.

Learned State counsel, on instructions from ASI Karamvir Singh, has however opposed the prayer for bail on the ground that as per discharge certificate, the complainant was found suffered multiple fractures and the doctor has opined that he is discharged in a stable condition.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial lockup since 30.09.2017, investigation is complete and challan has been presented; co-accused Gehla has been granted bail and one accused named in the FIR has been declared innocent, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

12.01.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No