

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-49118-2017

Date of Decision: 03.04.2018

Ravi Kumar

--Petitioner

Versus

State of Haryana

--Respondent

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

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

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA.J.

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.289 dated 06.06.2017 under Sections 323/324/34/506 and 307 IPC, registered at Police Station Rai, District Sonipat.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Kasim in relation to an alleged occurrence dated 06.06.2017. It was alleged that the present petitioner had inflicted ice vit blows in the chest and abdominal region of the complainant. Motive attributed was that the complainant had got married with a lady named Ruby and who was earlier in point of time married to the petitioner.

Learned State counsel, upon instructions from ASI Surender Kumar, Police Station Rai, District Sonipat, apprises the Court that the trial has not made progress for the reason that the complainant has not appeared before the trial Court for recording of his deposition. State Counsel submits

that summons were issued to secure presence of the complainant on numerous occasions but he has not been found at place of residence.

It is a case where offence under Section 307 IPC was added subsequently i.e. on 11.08.2017.

An un-controverted factual position is that petitioner had been earlier granted concession of bail and upon adding an offence under Section 307 IPC had surrendered on the same date i.e. on 11.08.2017.

Petitioner is not stated to have misused the concession of bail that had earlier been granted.

Trial shall take time to conclude.

Petitioner has faced incarceration since 11.08.2017.

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

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.04.2018

Divyanshi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No