

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

CRM-M-50575-2018 (O&M)

Date of decision:26.11.2018

Ashok Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed for seeking bail pending trial in
FIR No.428 dated 27.05.2018 for the offences punishable under Sections
323, 324, 34, 506 IPC (Section 307 added later on) registered at Police
Station Assandh, District Karnal.

Learned counsel for the petitioner contends that earlier the case was filed under Section 323, 324 and 506 IPC. However later on, on the opinion of the Doctor Section 307 IPC has also been added. It is further contended by learned counsel for the petitioner that in the same incident the petitioner had also received head injury at the hands of Manoj @ Mauji. However, Police have not taken any action against Manoj @ Mauji for causing injury to the present petitioner. Learned counsel for the petitioner further submits that its a case of version and cross-version and the dispute is within the family only regarding the land. Petitioner is in custody since 01.06.2018. It is further submitted by learned counsel for the petitioner that the Police have filed the challan and petitioner is no more required for any further investigation.

On the other hand, learned State counsel submits that the petitioner is attributed specific injuries, which have been declared to be dangerous to life. However, learned State counsel has not been able to explain why no action has been taken by the Police qua the injury to the petitioner and Ravinder; on the side of the petitioner; caused by the side of the Complainant. State counsel does not dispute the fact regarding the custody of the petitioner and the fact regarding the petitioner also having received injuries.

In view of the above, without commenting on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

26.11.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No