

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52542-2018 (O&M)

Date of Decision:- 5.12.2018

Surender @ Sethi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sant Lal Barwala, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of regular bail in a case registered vide FIR No.192 dated 28.4.2018, registered at Police Station Barwala, District Hisar under Sections 147, 149, 323, 325, 307 341 and 506 of Indian Penal Code, 1860.

The FIR was registered at the instance of Sandeep wherein it has been alleged that on 26.4.2018, his friend Rajat @ Prince was attacked by some boys and he rescued him and thereafter when the complainant was returning back to his house then he was way laid by 7-8 boys, who attacked him and one of them gave a blow with brick on his head while others also gave fist blows and kick blows.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he has been in custody since the last more than 5 months.

On the other hand, the learned State counsel has submitted that since it is evident that all the accused had come together and injury had been caused on the head of the complainant with a brick which would show that the same had been caused with an intention to kill the complainant, therefore, no case for grant of bail is made out. It has, however, been informed that challan has since been presented, though no prosecution witness has been examined so far. It has also been informed that the complainant had sustained two lacerated wound, one on his head and the other on his wrist.

Having regard to the facts and circumstances of the case and also bearing in mind the fact that the petitioner is not specifically attributed any of the injuries and has been behind bars since the last more than 5 months, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner-Surender @ Sethi is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

December 5, 2018

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No