

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5559-2018
Date of decision: 14.02.2018

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... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arjun Atri, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.297 dated 14.10.2017 under Sections 148, 149, 323, 307, 506 IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station Bahin, District Palwal.

Learned counsel for the petitioner submits that it is a case of version and cross-version, as the cross-version case bearing FIR No.301 dated 23.10.2017 under Sections 148, 149, 323, 452, 506 IPC is registered against the complainant. Counsel for the petitioner further submits that as per the version given in the FIR, injuries under Section 307 IPC have been attributed to co-accused Saddam and there is no allegation against the petitioner except that he was present at the spot armed with lathis/dandas. It is further submitted that it will be a debatable issue as to which party was the aggressor and which acted in

self-defence. Counsel for the petitioner also submits that the investigation in the present case is complete and petitioner is in judicial lockup since 08.11.2017 and is not involved in any other case.

Learned State counsel, on instructions from HC Dharmender, has not disputed the factual position, however, has submitted that the co-accused are yet to be arrested. As per the custody certificate dated 12.02.2018, petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the challan against the petitioner has been submitted and it will take some time in conclusion of the trial; no specific role is attributed to the petitioner; he is not involved in any other case, 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/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

14.02.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No