

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212

CRM-M-758-2018

Date of decision : 16.03.2018

Sandeep

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jagmohan Ghumman, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.659 dated 29.08.2016, registered at Police Station DLF, Sector 29, Gurugram, District Gurugram, under Sections 147, 149, 323, 302, 307, 506 and 34 IPC.

Learned counsel for the petitioner has contended that the FIR was initially registered under Sections 323 and 506 IPC. Section 307 IPC was added later on and within six days thereafter, the deceased person was discharged from hospital. He died four months later on and then Section 302 IPC was added. Thus, it is contended that whether the death was caused due to the injuries or not, is debatable. Further, it is contended that the main accused, who inflicted injuries are Tarun and Gautam and both of them were released on bail as the police had failed to file challan within the stipulated time period. Gautam jumped bail and now is in custody. The petitioner has been named in the FIR on the basis of disclosure statement and they stated that the petitioner was only seated in the Scorpio car and was not carrying any weapon nor did he inflict any injury.

Learned State counsel has very fairly conceded the factual submissions made by the learned counsel for the petitioner.

In view of the above and in view of the fact that the petitioner has been in custody since 11.06.2017 and that the challan has already been presented, it would be just and expedient to release the petitioner on regular bail.

Accordingly, the petition is allowed. Petitioner, Sandeep, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

16.03.2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No