

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

**269**

**CRM-M-3411 of 2019**

**Date of decision: 04.02.2019**

**GAGANDEEP @ GAGGI**

**...PETITIONER**

**VS.**

**STATE OF HARYANA**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Vishwajeet, Advocate  
for the petitioner.

Mr. Nishchal Mann, DAG, Haryana.

Mr. Rishi Nijhawan, Advocate  
for the complainant.

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**MANOJ BAJAJ, J.(ORAL)**

Petitioner has filed petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 644, dated 05.11.2018, under Sections 148, 149, 323, 324, 326 and 506 of Indian Penal Code registered at Police Station City Kaithal, District Kaithal.

Learned counsel for the petitioner contends that petitioner is attributed a Danda blow resulting in simple injury. This fact is not disputed by the learned State counsel assisted by the learned counsel for the complainant as well as Head Constable Prabhat. It is also not disputed that the challan already stands filed. The case is triable by the Magistrate.

Learned counsel for the petitioner has contended that the investigation of the case is complete and the injury attributed to the petitioner is simple in nature.

Considering the fact that the case is triable by the Magistrate and the trial of the case will consume sometime, further custody is not justified.

Without expression of any opinion on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

**February 04, 2019**  
Poonam Sharma

**(MANOJ BAJAJ)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No