

225 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6326-2019 (O&M)

Date of decision:14.02.2019

Bhawani

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Shantanu Sangwan, Advocate for the petitioner.

Mr. Parveen Aggarwal, DAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed for seeking bail pending trial in FIR No.324 dated 25.08.2018 for the offences punishable under Sections 120-B, 148, 149, 307, 323, 427, 452 of IPC and Section 25 of the Arms Act, at Police Station City Dadri, District Bhiwani.

Learned counsel for the petitioner contends that although the petitioner is named in the FIR along with about 30-35 other persons, however, no specific injury has been attributed to the petitioner. Even as per the case of prosecution, the injury attributed to the petitioner is only simple in nature. Section 307 of IPC has been added in the case only for the reason that some persons in the mob is alleged to have fired gun shot. However, that gun shot is not attributed to the petitioner; nor any fire-arm has been recovered from the petitioner during the investigation. Still further it is contended that the petitioner is in custody since 31.10.2018. The investigation of the case is complete and even the charge has been framed in this case. The petitioner is not required for any other investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, learned counsel for the State, being instructed by ASI Bhim Singh, submits that the petitioner is involved in a heinous crime along with a mob. Still further, it is contended that several persons are yet to be arrested in this case. However, it is not disputed by the learned State counsel that the injury alleged by the complainant is simple in nature and that no specific injury is attributable to the petitioner.

In view of the above, but 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 concerned Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

14.02.2019

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No