

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-451-2019 (O&M)
Date of decision: 10.07.2019

Vicky @ Vikash

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gaurav Singla, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this revision petition is for setting aside the order dated 21.12.2018 passed by the Addl. Sessions Judge and the order dated 11.12.2018 passed by the Juvenile Justice Board, vide which the bail was declined to the petitioner as well as the appeal filed by him was dismissed.

Learned counsel for the petitioner submits that the petitioner is in custody since 21.09.2018; investigation is complete; challan stands presented and charges have been framed. Learned counsel has relied upon affidavit of the complainant dated 13.12.2018 (Annexure P-2), wherein he has stated that the petitioner has not caused injuries to him.

On the last date of hearing, learned State counsel sought time to verify the authenticity of this affidavit.

Learned State counsel, on instructions from SI Suresh Kumar,

submits that the police has recorded the statement of complainant Tek Chand on 01.06.2019, in which he has stated that after registration of the FIR, there was a compromise between the parties and he has signed a document for the purpose of affidavit, however, he is not aware about contents of the same.

A photocopy of the statement dated 01.06.2019 made by the complainant is taken on record.

After hearing learned counsel for the parties and considering the fact that the petitioner is in custody for the last more than 09 months, this petition is allowed. The impugned orders dated 21.12.2018 and 11.12.2018 passed by the Courts below are set aside and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Juvenile Justice Board.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

10.07.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No