

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7944 of 2019

Date of Decision: 27.2.2019

Parveen and Anr.

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Suneel Ranga, Advocate for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

HARINDER SINGH SIDHU, J

This is a petition under Section 439 Cr.P.C. seeking bail in case FIR No.624 dated 23.11.2017 under Sections 307,34 IPC and Sections 25,54,59 of the Arms Act registered at P.S Kharkhoda, District Sonapat.

The FIR was lodged on the statement of Naveen that his elder brother Hardeep was inflicted injuries by the petitioners as a result whereof said Hardeep was taken to Government Hospital, Kharkhoda from where he was referred to PGI Rohtak.

Learned counsel for the petitioner contended that the petitioners are the close relations of the injured Hardeep. They have, in fact, entered into a compromise (Annexure P.2). The petitioner is in custody since 24.11.2017.

Learned State counsel, on instructions from SI Bijender Singh has opposed the grant of bail averring that the affidavit has only been sworn by Hardeep and not by the complainant-Naveen.

Considering the fact that the petitioner has been behind bars for the last one year and three months and that the trial in its normal course is not likely to be concluded in immediate future, in my opinion, no useful purpose would be served by indefinitely detaining the petitioners behind bars. The petition, as such, is accepted and the petitioners are ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate.

However, in case the petitioners indulge in any activity akin to the present case, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioners.

February 27, 2019

manoj

(Harinder Singh Sidhu)

Judge

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No