

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 16490 of 2019

Date of Decision:17.10.2019

Anil KumarPetitioner

versus

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana

Mr. Abhimanyu Sethi, Advocate
for the complainant.

MAHABIR SINGH SINDHU, J(Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure (*for short 'Cr.P.C.'*) for grant of bail pending trial to the petitioner in case FIR No.03 dated 03.01.2019, under Sections 323, 325, 307, 216 read with Section 34 of the Indian Penal Code, registered at Police Station Sector 65, Gurugram, District Gurugram.

Contentends that petitioner is in custody since 19.02.2019 and after investigation challan was presented in the Court on 17.08.2019 and charges are yet to be framed. Further contentends that there is a version and cross-version case and both sides have suffered injuries and it was a case of free fight.

Learned State counsel, on instructions from ASI Hari Kesh has acknowledged the above factual position.

Heard both sides and perused the paper-book.

The petitioner is in custody since 19.02.2019, even charges are yet to be framed and it is a case of version and cross-version and both sides have suffered injuries, therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully cooperate with learned trial Court without seeking any unnecessary adjournments.

17.10.2019
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No