

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16877-2019

Date of Decision: 23.05.2019

Arun Bajrangi

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Baljeet Beniwal, Advocate for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.410 dated 26.05.2017, registered at Police Station Sector 7, Faridabad, under Sections 147, 148, 323 and 364 of the Indian Penal Code and Section 25 of the Arms Act, 1959 (later on Section 325 and 307 IPC were added and Section 25 of the Arms Act, 1959 was deleted).

Notice of motion has been issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that in the present case, there are allegations regarding causing injuries by all the accused. In the FIR, neither any specific injury has been attributed to the present petitioner, nor there is mention regarding any specific weapon, he was having with him. The doctor has given the opinion that injuries No.2 and 9 on the person of complainant

cannot be ruled as 'dangerous'.

There is no other eye-witness of the case. Only complainant/injured is the main witness, who has already been declared proclaimed offender in a cross-version case. It is a case of version and cross-version and it is yet to be determined by the trial Court on the basis of evidence as to who is the aggressor party. Out of 16 prosecution witnesses, 05 have already been examined.

The petitioner has been in custody since 05.10.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time especially when the injured/complainant is not appearing in the Court as a witness and has already been declared proclaimed offender in another case. Therefore, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

23.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No