

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20378-2019

Date of Decision: 09.05.2019

Vikram

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sube S. Kaushik, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Vikram, has prayed for grant of regular bail in case FIR No. 288 dated 13.10.2018 registered under Sections 323, 324/34, 341 and 506 IPC (Section 307 IPC added later on) at Police Station Julana, District Jind.

According to the prosecution, in the day time of 12.10.2018, the petitioner with his accomplice Rahul @ Body, armed with bodkins came on a motorcycle and gave bodkin blows on the back and left lung/kidney of complainant-Gurdev.

Learned counsel *inter alia* contends that co-accused of the petitioner, namely; Rahul @ Body, has been granted bail by the Sessions Court, vide order dated 01.04.2019 (Annexure P-3), whereas bail has been declined to the petitioner on the ground that injury caused by him was declared dangerous to life. In fact, no kidney or lung of the complainant was damaged due to the bodkin blow attributed to the

petitioner. The complainant remained admitted in hospital for 8 days only. Petitioner is in custody since, 25.11.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Vikram, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

May 09, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No