

S.No.207

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-53962 of 2018 (O&M)

Date of Decision:15.03.2019

Sunil Kumar @ Sonu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. J.S. Saneta, Advocate
for the petitioner.
Mr. M.D. Sharma, Haryana.
Mr. Akashdeep Singh, Advocate
for the complainant.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.36 dated 05.04.2018 registered under Sections 148/149/323/452/120-B IPC (offence under Section 307 IPC and Section 25/54/59 of Arms Act added later on) at Police Station Bapoli, District Panipat.

Learned counsel for the petitioner contends that it is a case of version and cross-version. It is further submitted that it is not even disputed that in the same incident, the persons from the side of the petitioner have also received grievous injury at the hands of the side of the complainant. It is further submitted that five persons from the side of the complainant are also facing trial under Section 307 IPC for having caused grievous injuries to the side of the petitioner. However, all those five persons have already been released on bail pending trial. Learned counsel further submits that the petitioner has been in custody since 18.10.2018. Challan has already been filed. The petitioner is not required for any investigation purposes.

Petitioner deserves to be released on bail pending trial.

On the other hand, learned State Counsel, being assisted by Mr. Akashdeep Singh, learned counsel for the complainant, submits that the petitioner is involved in a heinous crime of having attempted to commit murder. However, it is not disputed that it is a case of version and cross-version, the accused persons from the other side have already been granted bail for a charge under Section 307 IPC and that the petitioner is in custody since 18.10.2018.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

March 15, 2019**renu****(RAJBIR SEHRAWAT)****JUDGE**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No