

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

**CRM-M No.53999 of 2018
Date of Decision:-14.01.2019**

Yusuf @ Aka

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Yusuf @ Aka has filed the present petition under Section 439 Cr.P.C. for grant of bail in case FIR No.703 dated 07.7.2018, under Sections 323, 506, 325 and 307 read with Section 34 IPC, registered at Police Station Central, Faridabad, District Faridabad. The petitioner is in custody since his arrest on 13.7.2018.

The FIR was registered on the statement of Sabbir @ Tekkla with the allegations that on 06.7.2018 at about 11:45 PM his brother-in-law, namely, Aktar s/o Hussain Khan (injured) was sitting at a tea store in front of his shop. Three persons came to the shop of Aktar and attacked him. The complainant intervened and saved the injured. The assailants were named by the complainant as Yusuf s/o Soran, Pappi s/o Sadhu and Bangali s/o Mrs. Usha.

Learned counsel for the petitioner contends that the investigation of the case is complete and the petitioner is attributed an injury with iron rod on the head of injured Aktar, which is declared dangerous to life by the doctor on 09.7.2018. It is also pointed by the learned counsel that son of the complainant is also involved in the crime and the Court has issued arrest warrants of Avval s/o Sabbir @ Teekla. The petitioner has prayed for grant of regular bail on the ground that his further custody is not justifiable.

On the other hand the State counsel assisted by ASI Vikram Singh has opposed the bail application on the ground that the offence is of grave nature. It is not disputed that the complainant stands examined before the Court and out of total 12 prosecution witnesses 08 have been examined.

Considering the custodial period of the petitioner, status of the case, further detention of the petitioner is not justified. Without commenting anything upon merits of the case and considering the custody and status of the trial, the petitioner, namely, Yusuf @ Aka is admitted to regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

January 14, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No