

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26970 of 2019
Date of Decision: 10.07.2019

Sunil @ Sunny

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gagan Bajaj, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.158 dated 26.03.2019 registered for offences punishable under Sections 323, 334, 506 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station City Fatehabad, District Fatehabad. (Offence punishable under Section 326 IPC was added later on).

Heard.

As per case of prosecution, occurrence took place on 26.03.2019 at about 03.00 p.m. The petitioner alongwith co-accused, namely, Ajay, came on a scooter. While Ajay caught the complainant, petitioner gave knife blow in his back and abdomen. Injuries were also caused on his arms and legs. In the meanwhile people gathered and raised *rolla* at which petitioner alongwith his co-accused fled away from the spot.

Learned State counsel submits that none of the injury on the person of complainant was found grievous in nature but the doctor has

given opinion that injuries no. 5 and 6 could prove to be grievous in case timely treatment had not been provided to complainant.

The petitioner in this case was arrested on 23.04.2019 and is in custody since then. After completion of investigation, final report has been submitted in Court.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sunil @ Sunny is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

July 10, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No