

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

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CRM-M-27503-2019 (O & M)
Date of Decision:05.07.2019

Ramu @ Meeku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Vikramjit Singh, Addl. A.G., Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.81 dated 10.04.2019, under Sections 323, 325, 307, 506 and 34 IPC, registered at Police Station Sadar Tohana, District Fatehabad.

The prosecution case is that on 09.04.2019 at about 7.00 PM when complainant Arun son of Raj Kumar was going to his village and reached near Veterinary Hospital then a Maruti 800 car bearing registration No.DL-6CD-5143 came from the opposite side and with an intention to kill, hit him, due to which his right leg got fractured. Two persons got down from the said car. One of them Ramu @ Meeku (petitioner) son of Shamsher resident Gajuwala and other unknown person were having

'dandas' in their hands. Ramu @ Meeku was driving the car. He gave a danda blow on his head, which was warded off with the help of right arm. At the back, other person gave several blows on his waist and fingers. Ramu also gave a blow on his right arm, thereafter, he fell down. He was given kick blows when he was lying. In the meantime, his brother Pawan Singh son of Ram Kumar and Surender son of Bhagat Singh came there. The accused ran away alongwith their weapons by issuing threats to him for life. Thereafter, he was got medically examined. Medical opinion was collected and injuries on the chest were found dangerous to life.

Learned counsel for the petitioner contends that the alleged injury suffered by victim on chest was declared as dangerous to life which otherwise was attributed to the co-accused. It is further contended that in the first MLR conducted on 09.04.2019 at Government Civil Hospital, Tohana, no such injury was reflected. He submits that the other MLR was obtained from the private hospital namely Bharat Hospital, Hisar on 16.05.2019, wherein the said injuries are reflected. He contends that the investigation of the case is complete and challan stands filed.

On the other hand, learned State counsel assisted by SI Suresh Kumar has opposed the bail application on the ground that the petitioner was present at the spot and caused injuries to the victim. However, it is not disputed that there are two MLRs in respect of the victim which were of different hospitals and contradictory to each other.

Considering the above background and the fact that trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

05.07.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No