

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

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CRM-M-27835-2019.

Date of Decision: 10.07.2019.

Pawan alias Lalit

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Vikas Kumar, Advocate for the petitioner.

Mr. Ashok Muthreja, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner-Pawan alias Lalit son of Girraj in case F.I.R. No.59 dated 07.03.2019 under Sections 148, 149, 323, 341, 506 and 120-B of the Indian Penal Code (Sections 325 and 307 IPC added lateron), registered at Police Station Sector-17, Faridabad.

Learned counsel representing the petitioner contended that the petitioner is in custody since 19.03.2019. Moreso, the petitioner was not named in the F.I.R. and the main injury attracting provisions of Section 307 IPC, which was with iron rod, is not attributed to the present petitioner. Trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel, on instructions, affirmed the fact that the main injury attracting provisions of Section 307 IPC is not attributed to the present petitioner, rather to co-accused and the petitioner had allegedly caused injury with danda blow and he is in custody since 19.03.2019.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 19.03.2019 and is not named in the F.I.R., the main injury attracting provisions of Section 307 IPC is not attributed to the present petitioner; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Pawan alias Lalit, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

10.07.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No