

241.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28079-2019

Date of decision: 17.10.2019

MAKHAN RAM

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.18 dated 01.03.2019 registered under Sections 323/325/326-A/307/34 of IPC at Police Station Rahon, District SBS Nagar.

Counsel for the petitioner states that the petitioner is in custody since 01.03.2019 and the charges were framed on 10.06.2019 for offence under Sections 307, 326-B, 323 of IPC. He refers to the injury report dated 05.04.2019 submitted by Dr. Lokesh Jain, MD, Consultant (Psychiatrist), Ivy Hospital, Nawanshahr, wherein the nature of injuries on the person of injured are simple in nature. He states that though this Court, vide order dated 26.09.2019 while adjourning the case for today, had directed the prosecution to make efforts so as to cross-examine the complainant but instead of cross-examining the complainant, an application under Section

319 Cr.P.C. has been moved by the prosecution for summoning of additional accused and the said application is pending consideration before the trial Court. In this manner, the trial is being delayed.

Learned State counsel, on instructions from HC Hem Raj, does not dispute the custody and the fact that the injuries attributed to the petitioner are simple in nature.

Having considered the fact that the petitioner in custody since 01.03.2019 and the trial in the case is not likely to be concluded in the near future, coupled with the fact that Dr. Lokesh Jain has opined vide his report dated 05.04.2019 (Annexure P-3) that the nature of injuries is simple in nature, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

17.10.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No