

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

CRM-M-30222-2019 (O&M)

Date of Decision:23.07.2019

Rahul

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE MANOJ BAJAJ

Present : Mr. Raghav Sharma, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, D.A.G. Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.508 dated 02.11.2018 registered under Sections 323, 34, 506 IPC later on added Sections 325, 307 and 120-B IPC at Police Station Pehowa.

Learned counsel for the petitioner contends that initially the FIR was registered for the offence punishable under Sections 323, 34, 506 IPC. However, later on offences punishable under Sections 325, 307 along with 120-B IPC were added on 21.1.2019. He further contends that the petitioner was not named in the FIR and was arrested on 18.03.2019 on the disclosure statement suffered by the co-accused. One of the co-accused being juvenile has already been granted bail. Learned counsel for the petitioner further contends that the injury attributed to the petitioner is on the non-vital part of the person of the victim. He further submits that investigation of the case is complete and further detention of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI

Ramesh Chand has opposed the bail application on the ground that the victim had remained hospitalized and is still under treatment. However, it is not disputed that the petitioner was arrayed as an accused subsequently on on the disclosure statement of Jasvir.

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 present petition is allowed accordingly.

23.07.2019
rajeev

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No