

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

**CRM-M No. 35255 of 2019
Date of Decision:-30.09.2019**

Ravinder @ Binder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Mohit Jaggi, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, 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.75 dated 30.03.2019, under Sections 323, 325, 307, 506 and 34 IPC, 1860, registered at Police Station Mullana.

The prosecution case is that on 27.03.2019, the accused persons along with one Ravinder @ Binder (petitioner) gave severe beatings with fists and kick blows to the complainant-Dharam Pal. As a result of the beatings, Dharam Pal (complainant) suffered a severe neck injuries and he remained immobilized for some time.

Learned counsel for the petitioner contends that initially FIR was registered for the offence punishable under Sections 323, 325, 506 and

34 IPC in respect of the occurrence which took place on 27.03.2019. He submits that the injury inviting the offence punishable under Section 307 IPC added on 06.04.2019 is attributed to co-accused Bablu Kumar. He further submits that on the similar allegations, co-accused of the petitioner has been granted concession of regular bail by this Court on 11.09.2019 in CRM-M-37382-2019. Learned counsel submits that the investigation of the case is complete and further detention of petitioner may not be justified.

On the other hand, learned State counsel assisted by SI Sarvesh Kumar has opposed the bail application. Learned State counsel does not dispute this fact that the injuries on the neck of the complainant inviting the offence punishable under Section 307 IPC were caused by co-accused Bablu Kumar by giving him fist blows and kick blows. It is also not disputed that the challan stands filed and the case is fixed for prosecution evidence.

Considering the above background and the fact that the trial is likely to take some time, further detention of petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that petitioner-Ravinder @ Binder be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition stands allowed.

September 30, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No