

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

214

CRM-M-34350-2019 (O & M)
Date of Decision:10.09.2019

Jasbir Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vansh Malhotra, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Sunita Devi – complainant in person.

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.508 dated 02.11.2018, under Sections 323, 34, 506 IPC (Sections 325, 307 and 120-B IPC was added later on), registered at Police Station Pehowa, District Kurukshetra.

The prosecution case is that Sunita Devi preferred a complaint, addressed to Incharge, Police Post Saraswati Vihar, Pehowa, alleging therein that on 7.10.2018 at about 8.30 P.M., his son Ranbir Singh was returning home through Randeep Park. At that time, accused Gogi son of

Ram Lal, resident of Raj Guest House, Pehowa, Vikas @ Vicky son of Siri

Niwas Babu Ram, resident of Pooja Colony, Pehowa, Sunder son of Munishi Ram, resident of Pehowa and Bantu, resident of Helwa, Tehsil Pehowa, District Kurukshetra had hidden themselves in the park behind stones. On seeing her son, the accused persons attacked on him with iron rods. On hearing cries of her son, the complainant reached on the spot and on seeing her, the accused fled from the spot. Accused persons had caused several grievous injuries to her son. She took her son to Government Hospital, Pehowa from where he was referred to LNJP Hospital, Kurukshetra. As her son had sustained serious injuries, therefore, he was referred to PGIMER, Chandigarh. On the basis of this complaint, a case under Sections 323, 325, 307, 506, 34, 120-B of Indian Penal Code was registered.

Learned counsel for the petitioner contends that the FIR was originally registered for the offences punishable under Sections 323, 506 and 34 IPC and subsequently on 21.01.2019 offence punishable under Section 307 IPC was added i.e. after a period of more than three months. He further points out that the said injuries were not attributed to the petitioner. According to him, the investigation of the case is complete and final report stands submitted on 15.05.2019. He further contends that co-accused namely Rahul and Vikas @ Vicky have already been granted the concession of regular bail by this Court in CRM-M-30222-2019 and CRM-M-33229-2019 on 23.07.2019 and 26.08.2019 respectively.

On the other hand, learned State counsel assisted by SI Ramesh Chand has opposed the bail application. It is not disputed that offence punishable under Section 307 IPC was added subsequently and the said injuries were not attributed to the petitioner.

Considering the above background and the fact that the 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.

10.09.2019
sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No