

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-35239-2019

Date of Decision: September 02, 2019

Bittu @ Labbal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. S.K. Tripathi, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana

Hari Pal Verma, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 116, dated 11.06.2019, under Sections 148, 149, 307, 323, 354, 452 IPC, registered at Police Station Sector 14, Panchkula.

Learned counsel for the petitioner has argued that the petitioner is in custody since 24.06.2019. Since FIR No. 115 registered at the behest of the sister of the petitioner, namely, Pinki, the filing of FIR No. 116 is nothing but a cross version of the incident. No medical was conducted in this case. Therefore, the injury for offence under Section 307 IPC has not been established.

Learned State counsel, on instructions from ASI Rakesh Kumar, fairly admitted that though there is no medical evidence, but there

are other cases against the petitioner which reflect the bent of the mind of the petitioner that he indulges in criminal activities.

I have heard learned counsel for the parties.

Considering the fact that there is a cross version case between the parties and there is no medical evidence so as to establish that the injury under Section 307 IPC has been caused in this case, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

September 02, 2019
vkd

(Hari Pal Verma)
Judge

Whether speaking / reasoned : Yes / No

Whether reportable : Yes / No