

216

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

**CRM-M-43051-2019  
Date of decision-18.11.2019**

**Fareed**

**....Petitioner**

**Vs.**

**State of Haryana**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Ms. Rosy, Advocate for the complainant.

\*\*\*

**MANOJ BAJAJ, J.**

Petitioner-Fareed has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.125 dated 05.06.2019 registered under Sections 323, 452 and 506 of Indian Penal Code, 1860 (Sections 307 and 34 IPC added later on) at Police Station Nagina, District Nuh. The petitioner is in custody since his arrest on 28.06.2019.

The FIR was registered on the statement of complainant, namely, Fakru son of Ali Mohammad, wherein it was alleged that on 28.05.2019, a quarrel took place between the brother of the complainant, namely, Khursheed and Nosad son of Fareed (petitioner). Thereafter, Nosad called his family members and they all entered into the house of the complainant's brother. Khursheed and his wife were present at the roof at that time. All the assailants including Fareed (petitioner) gave fist and leg

blow to Khursheed and hit his head on the wall. Sehjad son of Fareed threw the wife of Khursheed from the roof and all ran away after giving threats to the family.

Learned counsel for the petitioner contends that the alleged injury suffered by victim-Battan is attributed to co-accused Mamman. He submits that the petitioner is alleged to have caused injury to the Khursheed, However, there is no MLR of the said injured person. According to him, the final report stands filed and trial is likely to consume some time, therefore, further custody of the petitioner may not be required.

On the other hand, learned counsel for the complainant as well as learned State counsel who is assisted by ASI Surender Kumar opposed the prayer. However, learned State counsel is unable to disclose the nature of the injury as there is no MLR.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further detention of the petitioner may not be justified. Resultantly, 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.

**(MANOJ BAJAJ)**  
**JUDGE**

**18.11.2019**

vanita

|                             |     |    |
|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |