

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

CRM-M-43336-2019(O&M)

Date of decision: 07.12.2019

Abhishek

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Salil Dev Singh Bali, Advocate for the petitioner
Mr. Anmol Malik, AAG, Haryana

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.14 dated 10.1.2019 registered under Sections 147, 149, 323, 427, 506 IPC (Section 307 IPC added lateron) at Police Station Siwani, District Bhiwani.

As per the case of the prosecution, petitioner accompanied by his grandfather and 4-5 more persons had attacked the injured when he went to take wood from Rajesh Saw Mill. Petitioner is alleged to be armed with a hockey stick whereas remaining persons were armed with wooden batons. In the FIR, it is averred that petitioner gave a blow on the head of Rajesh with the hockey and thereafter, everybody started giving injuries to the injured.

Learned counsel for the petitioner submits that the recovery from the petitioner is not hockey but a wooden baton. He further submits that initially petitioner was released on regular bail by the Court but, however, on the basis of opinion of the Medical Board obtained after a period of 5 months, offence under Section 307 IPC has been

added. He further submits that petitioner is in judicial custody. Recovery of the alleged weapon of offence i.e wooden baton has already been made.

Investigations are complete. Police report under Section 173 Cr.P.C has been filed. Trial has not commenced yet as the charges are yet to be framed. Conclusion of the trial is likely to take some time. As per the information supplied by the learned counsel for the State on instructions from SI Suraj Bhan, petitioner does not has any previous criminal record.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petition stands allowed.

07.12.2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)
JUDGE

Yes / No

Yes / No