

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

228)

Crl. Misc. No.M-45141 of 2019(O&M)

Date of Decision: 06.11.2019

Arjun

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Rosi, Advocate, for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Notice having been issued, learned State counsel has produced in court a copy of the MLR shown to have been recorded on 02.09.2019 at 10.05 a.m., showing that the complainant (Pappon) was found to have incised wounds 7x2.5 c.m., almost in the middle of both testicles, vertically placed, with the wounds further described in detail in the MLR.

Learned counsel for the petitioner submits that with no specific role having been attributed to the petitioner and there being no explanation as to why the FIR was registered on 03.09.2019 and in fact even the MLR having been recorded only on the morning of 02.09.2019 and with the incident stated to have taken place on the night of 01.09.2019, the petitioner deserves the concession of bail.

Learned State counsel on instructions from HC Rajbir Singh, submits that as a matter of fact the complainant was not fit to give his

statement at the time when the police initially reached the hospital upon being summoned, which led to a slight delay in registering the FIR.

That being so, I see no ground to entertain this petition, with the allegation against the petitioner being as they are.

Consequently, the present petition is dismissed.

However, it is made clear that nothing stated herein above shall be taken to be an observation of this court on the merits of the case, for or against the petitioner, which would be gone into by the trial court on the basis of the evidence led before it.

06.11.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No