

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

**CRM-M No.48118 of 2019
Decided on: 11.12.2019**

Sonu @ Lakhbir Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Arun Sharma, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.57 dated 02.10.2019 under Sections 323, 324, 34, 506 of the Indian Penal Code, 1860 (in short 'IPC') (Section 326 IPC added later) registered at Police Station Nigdhu Karnal, District Karnal.

Counsel for the petitioner has argued that as per the allegations in the FIR, the has given a *kapa* blow on the right leg of the victim. It is further argued that it is mentioned in the FIR itself that there was a dispute regarding the sale of a vehicle by the brother of the complainant. It is also submitted that the investigation is complete, challan stands presented and it will take some time in conclusion of the trial.

Counsel for the State, on instructions from ASI Satyawan, has not disputed the factual position but opposed the prayer for bail. It is further submitted that 02 of the co-accused of the petitioner namely

Rajeev Kumar and Kabir have already been released on bail and Section 326 IPC was added later on.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 08.10.2019; the co-accused of the petitioner have already been released on bail; the custodial interrogation of the petitioner is no more required; challan stands presented and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

11.12.2019

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(ARVIND SINGH SANGWAN)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No