

CRM-M-55671 of 2018

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

CRM-M-55671 of 2018
Date of Decision: 08.01.2019

Anil

...Petitioner

Versus

State of Haryana

....Respondent

CRM-M-55742 of 2018

Soni

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Arjun Lakhanpal, Advocate, for the petitioner(s).
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

By this common order, I shall dispose of above-titled two petitions under Section 439 Cr.P.C. for grant of regular bail to the petitioners in a case arising from FIR No.727 dated 03.08.2018 registered under Sections 148, 149, 307, 323, 324, 325, 326, 447, 511, 109 and 120-B IPC at Police Station City Hisar, District Hisar.

According to the prosecution, petitioners along with their 10-11 accomplice on 03.08.2018 attacked complainant Sandeep with deadly weapons like *lathis* etc. and caused him ten injuries on almost whole of his body while he was raising construction over his plot.

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Learned counsel for the petitioners *inter alia* contends that petitioner Soni was not named in the FIR. All the alleged injuries suffered by the complainant are not on vital part. Section 307 IPC has been added wrongly by the police without any medical opinion or declaration of injuries suffered by the complainant as grievous in nature and dangerous to life in ordinary course. No recovery has to be effected from the petitioners. They are in custody for about last four months. Framing of charge and conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioners in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioners.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, both these petitions are allowed. Consequently, petitioners are ordered to be released on bail during pendency of trial, on their furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 08, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No