

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

CRM-M-49927-2019 (O&M)

Date of decision : 18.12.2019

Azhar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sarfraz Hussain, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Rahul Jaswal, Advocate for the complainant.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail pending trial in a criminal case arising from FIR No.1030 dated 31.10.2017 registered under Sections 147, 148, 149, 323, 324, 379B, 341, 506, 307, 120-B of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, at Police Station ChandniBagh, Panipat, District Panipat.

As per case of the prosecution, the petitioner had given knife blow on the right side of stomach of Faizal, brother of the first informant. On 29.11.2019, while noticing the contention of the learned counsel for the petitioner, following order was passed:-

“Learned counsel for the petitioner, while referring to Annexure P-1 i.e. medico legal report, has submitted that the injured had got himself examined and the doctor had allegedly found four injuries including a lacerated wound of size of 4 x 0.25 cm on the left side of the abdomen. He

further refers to Annexure P-2 i.e. another medico legal report of the injured in which it has been depicted that the injured had suffered incised wound of size of 3 cm x .5 cm on the right side of abdomen.

Learned counsel for the State prays for time.

Adjourned to 12.12.2019.”

Pursuant to the aforesaid order, Deputy Superintendent of Police has filed affidavit failing to explain the discrepancy. In para 3(vii) of the affidavit, it has been stated as under:-

“vii) That the both the MLRs of injured Fisal @ Teetu have been conducted by the doctors as he is injured in both the FIRs inflicted by the petitioner and his co-accused on two separate dates and times. The injured might have not mentioned injuries of earlier MLR (Annexure P-1) in the later MLR (Annexure P-2).”

Learned counsel for the State, on instructions from ASI Vishnu, has submitted that the investigations stand concluded. Police report as required under Section 173 Cr.P.C. has been filed.

Without commenting on the merits of the case and keeping in view the aforesaid facts and the fact that the conclusion of the trial of the case is likely to take a long time, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

18.12.2019

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No