

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

295)

CRM-M-50113 of 2019

Date of Decision: 3.12.2019

Rajesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr.Rajat Mor, Advocate for the petitioner.

Mr.Chetan Sharma, AAG Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.247 dated 16.6.2019 registered under Section 323, 324, 34, 341, 506 of IPC (Sections 325 and 326 IPC added subsequently) at Police Station Azad Nagar, District Hisar.

It is contended by counsel for the petitioner that case against the petitioner is totally concocted. Otherwise also, the injury attributed to the petitioner is on the forearm of the injured Zile Singh and the injury is only on the non vital part. The petitioner is in custody since 12.9.2019, investigation is complete and challan has been presented in the Court. Hence the petitioner is not required for any investigation purpose and therefore, the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the State, being instructed by the

police official, submits that the petitioner has caused injury with sharp edged

weapon, which has been declared to be grievous in nature. However, it is not disputed that the injury is on the non vital part and that the petitioner is in custody since 12.9.2019.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

3.12.2019

Meenu

Whether reasoned/speaking: Yes
Whether reportable: No