

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

222

CRM-M No.50448 of 2019 (O&M)
DATE OF DECISION : 3rd DECEMBER, 2019

Indal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Ms. Savita Rana, Advocate for the petitioner.

Mr. Ripu Daman, AAG, Haryana.

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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.245 dated 15.04.2019 registered under Sections 323, 452, 506, 148 & 149 IPC (Section 307 IPC, added later on), at Police Station Gharaunda, District Karnal.

It is contended by counsel for the petitioner that the case against the petitioner is concocted. Even as per the allegation of the prosecution, the injuries attributed to the petitioner are only *lathi* blows on arms and legs of the complainants. None of the injury is on the vital part of the body, nor any injury attributed to the petitioner is inviting Section 307 IPC. The petitioner is in custody since 27.09.2019. There is no other case pending against the petitioner as of today. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, learned counsel for the State, on instructions, submits that the petitioner was part of the group which caused serious injuries to the complainants. However, it is not disputed that the petitioner is in custody since 27.09.2019 and that the injury inviting Section 307 IPC is not attributed to the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

3rd DECEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No