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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53887-2019
Date of decision-20.12.2019

Ram Kumar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanjeev Majra, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has preferred this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.216 dated 07.11.2019 under Sections 323, 324 and 506 of Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Sadar Kaithal, District Kaithal. The petitioner is in custody since his arrest on 21.11.2019.

The FIR was registered on the statement of Rajbir son of Ram Kishan wherein it was alleged that on 06.11.2019, when the complainant was working in his fields, then his uncle, namely, Raj Kumar (petitioner) came and abused him. He gave gandasi blow on complainant's foot. On raising noise, he ran away from the spot after giving threat to the complainant. On these allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He submits that the injury

attributed to the petitioner is simple in nature and offence punishable under Section 326 IPC was added later on. It is pointed out that the investigation of the case is complete, therefore, further custody of the petitioner may not be required.

On the other hand, learned State counsel who is assisted by ASI Satpal opposed the prayer on the ground that the offence is serious. However, it is not disputed that offence punishable under Section 326 IPC was added later on i.e. on 18.11.2019. It is also not disputed that the investigation of the case is complete. It is pointed out that the case is fixed for 13.01.2020 for framing of charges before the trial Court.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further detention of the petitioner may not be justified, particularly when the investigation of the case is complete. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

20.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No