

CRM-M-3654 of 2020

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

CRM-M-3654 of 2020
Date of Decision: 31.01.2020

Surender

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. A.K. Saini, Advocate, for the petitioner.
Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner - Surender in a case arising from FIR No.159 dated 18.08.2019 registered under Sections 307, 323, 341, 147, 148, 149, 506 IPC {Section 3(2)(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 added subsequently} at Police Station Behal, District Bhiwani.

According to the prosecution, in the evening of 17.08.2019, petitioner and his 5/6 accomplice intentionally struck their vehicle against the complainant. As a result thereof, complainant fell down, receiving multiple injuries. Thereafter, petitioner and his accomplice alighting from their vehicle attacked the complainant with sticks and iron rods.

Learned counsel for the petitioner *inter alia* contends that none of the injuries allegedly received by the complainant has been declared

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dangerous to life. Petitioner has illegally been charge-sheeted under Section 307 IPC despite having not medical opinion. Petitioner is in custody since 18.08.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

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

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner – Surender is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 31, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No