

226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4680-2020

Date of decision-07.02.2020

Dinesh @ Sudan

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S.Dhull, Advocate for the petitioner.
Mr. Nishchal Mann, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Dinesh @ Sudan has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.562 dated 18.07.2019 registered under Sections 323, 324, 341 and 506 read with Section 34 of Indian Penal Code, 1860 (Section 307 IPC added later on) at Police Station Bhiwani City, District Bhiwani. The petitioner is in custody since his arrest on 14.09.2019.

The FIR was registered on the basis of the statement given by Rakesh son of Gopal Krishan wherein it was alleged that on 17.07.2019, at about 6.30 p.m., complainant received a telephonic call from his cousin, namely, Raghunandan who informed that Bharat, Bansi, Sudan (petitioner) and one another unknown person gave injuries to him with a knife at Dadri Gate. Then complainant alongwith his brother-Pankaj reached at the spot, where victim-Raghunandan was found injured and he disclosed that Bansi, Sudan and another boy caught hold him and Bharat gave knife injuries in his abdomen. Thereafter, they took the victim to Government Hospital, Bhiwani. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner is in custody since 14.09.2019 who has not been attributed any injury. He further contends that there are four injuries and the grievous injuries are attributed to co-accused-Bharat only. He further submits that co-accused, namely, Sahil has already been granted the concession of bail by the trial Court. According to him, the investigation of the case is complete as the challan stands presented on 08.11.2019 and trial will take long time, therefore, custody of the petitioner may not be necessary.

Learned State counsel assisted by HC Om Parkash opposed the prayer on the ground that the offence is serious. However, it is not disputed that the investigation of the case is complete. It is further pointed out that one more FIR was registered against the petitioner wherein he stands acquitted.

After hearing learned counsel for the parties, this Court finds that the trial is likely to consume considerable time and no useful purpose would be served by keeping the petitioner behind the bars, particularly when the investigation of the case is over. 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

07.02.2020

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No