

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11430-2020

Date of Decision: 30.06.2020

Joginder Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Nirmal Singh, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing.

Through this petition under Section 439 Cr.P.C., petitioner-Joginder Singh, has prayed for grant of regular bail in case FIR No. 558 dated 20.11.2019 (Annexure P-2) registered under Sections 323, 324/34 and 506 IPC (Section 326 IPC added later on) at Police Station Kurukshetra University, District Kurukshetra.

According to prosecution, on 19.11.2019 around 9.00 AM complainant-Ved Parkash was going to his house from his 'Bara'. When he reached near his house, petitioner along with his father armed with 'gandasi' was standing there and gave beatings to him. On his raising hue and cry, wife, son, brother and mother of the complainant came there. Petitioner and his father abused and also gave beatings to them.

However, they were rescued by the people, who gathered there.

Learned counsel for the petitioner *inter alia* contends that there is delay of one day in lodging the FIR. Present FIR is a counter-blast to FIR No. 0557 dated 19.11.2019 (Annexure P-1), which was got lodged by petitioner against the complainant, one day prior to the occurrence. The grievous injury attributed to the petitioner is on the little and middle finger of the complainant which is manipulated one to attract the provisions of Section 326 IPC. Petitioner is in custody since 06.12.2019, Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel has not seriously opposed the submissions of learned counsel for the petitioner.

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

June 30, 2020

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No