

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

Criminal Misc. No. M-16399-2020(O&M)
Date of Decision: 10.07.2020

Vikas @ Kalu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Hakam Singh, Advocate,
for the petitioner.

Mr. Kuldeep Tiwari, Addl.A.G.,Haryana

ANIL KSHETARPAL, J (Oral)

Present petition has been filed by the petitioner, namely, Vikas @ Kalu, under Section 439 Cr.P.C. for grant of regular bail in FIR No.29, dated 14.03.2020, registered under Sections 148/149/307/323/324/341 IPC (Section 307 IPC removed later on) and Sections 325/326 IPC (added) at Police Station Bhattu Kalan, District Faridabad. Inadvertently in order dated 16.06.2020, Sections 325/326 have not been mentioned and Section 307 IPC has been mentioned.

At the outset, it must be noticed that in the final report, the police did not present challan under Section 307 IPC against the accused.

It is the case of the prosecution that the injured was returning to his village when the petitioner along with certain other persons blocked his passage and caused him serious injuries. It is alleged that Sushil Godara, a co-accused had caused injury with sharp edged weapon, whereas the remaining accused including the petitioner caused injuries with iron rod, iron pipe, and wooden batons/ sticks.

Perusal of the medico legal report, shows that the injured suffered following injuries which are extracted as under:-

<i>Sr.No.</i>	<i>Injuries</i>	<i>Marked</i>	<i>Injury Number</i>
1	Lacerated wounds of size 0.5 cm x 1.5 cm, 0.5 cm x 1 cm, 1 x 1.5 cm and 1 x 1 cm present on left leg. Adv X-ray left leg and ortho opinion	NO	1
2	Incised wound of size 0.5 x 2.5 cm present on left parietal region. Adv. Surgeon opinion	NO	2

It is apparent from perusal thereof that apart from incise wound on left parietal region, the injured suffered lacerated wounds on left leg.

The petitioner is in custody since 23.05.2020. The police has already completed the investigation. Conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 23.05.2020 and conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Accordingly, the present petition is allowed with the aforesaid directions.

(ANIL KSHETARPAL)
JUDGE

July 10, 2020
“nt”

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No