

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 16950 of 2020
Date of Decision: 06.8.2020**

Anil @ Kanika

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 0083 dated 21.8.2019 under Sections 323, 34, 452 and 506 IPC (later on Sections 307 and 325 IPC were added) registered at Police Station Industrial Area, Sector-29, Panipat, District Panipat.

Learned counsel for the petitioner submits that as per MLR (Annexure P-2) there is one injury on the forehead of complainant Satish Kumar and the said injury has been allegedly attributed to the petitioner as well as co-accused Manjeet. He further submits that the said injury was designated as dangerous to life by the Neurosurgeon of the private hospital on 27.8.2019 but the Medical Officer, Civil Hospital, Panipat, after observing the CT report dated 26.8.2019, declared the injury as grievous in nature on 02.10.2019.

Learned counsel for the petitioner further submits that

petitioner has been in custody since 26.8.2019 and two co-accused have been granted regular bail by the learned Sessions Court on 27.9.2019.

Learned State counsel submits that challan has been presented in the present case and no witness has been examined so far and the next date before the Court below is 20.8.2020.

In the present case, one iron rod blow has been attributed to the petitioner and co-accused Manjeet and the said injury was initially declared as dangerous to life on 27.8.2019 by the Neurosurgeon of private hospital but later on it was declared grievous in nature by the Civil Hospital on 02.10.2019, after observing the CT report dated 26.8.2019. The petitioner has been in custody since 26.8.2019. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

August 06, 2020
Gurpreet

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