

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

206

CRM-M No.18930 of 2020

Date of Decision: August 18th, 2020

Sunil Kumar @ Babbu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court for grant of regular bail in FIR No.0208 dated 07.06.2019 registered under Section 302, 379-A, 34 IPC (Sections 397, 120-B IPC and Section 25/54/59 of Arms Act added subsequently) at Police Station Sadar, Fatehabad, District Fatehabad.

It is the contention of learned counsel for the petitioner that as per the FIR, the allegations against the petitioner are that he had attacked the complainant with a knife, who stepped back. His submission is that although an attempt to give injury to the complainant has been attributed to the petitioner but no injury has been caused to the complainant. He, therefore, contends that the petitioner be granted the concession of bail, especially in the light of the fact that he is in custody since 11.06.2019 as there are 25 prosecution witnesses, who have been cited but not one has been examined till date. The trial is not likely to conclude in near future and, therefore, concession of bail be granted to the petitioner.

Counsel for the respondent-State could not dispute the factual assertions, as have been pointed out by the counsel for the petitioner, however, she states that there was another FIR registered against the petitioner, where he

stands convicted and, therefore, the concession of bail be not granted to the petitioner in the present case.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that no injury has been caused by the petitioner to either the deceased or to the complainant and further he is in custody for more than 1 year and 2 months, with the trial not likely to conclude in near future, with 25 witnesses cited and none examined, the present petition is allowed.

Petitioner is ordered to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

August 18th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No