

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.208

CRM-M-26763-2020

Date of decision : 13.10.2020

Sonu @ Rupinder

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Dr. G.S. Brar, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. G.S. Sandhu, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No. 0254 dated 15.7.2020, registered at Police Station Sadar Fatehabad, District Fatehabad, Haryana, under Sections 324, 307 and 506 read with Section 34 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 01 month. The trial is not likely to be concluded at an early date as even, charges have not yet been framed. The petitioner has been attributed only a simple injury and thus, he may be granted regular bail.

Custody certificate dated 12.10.2020 has been produced in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 01 month and 18 days and there is no other criminal case pending against him.

Learned State counsel as well as learned counsel for the complainant oppose the grant of regular bail to the petitioner. They submit that the petitioner and his co-accused, namely, Robin Bishnoi were refused treatment by the injured person and therefore, they came back armed with

the common intention of causing injuries. The petitioner caught hold of the injured person while the co-accused stabbed him 2/3 times in the abdomen. Thus, the offence of the petitioner is as heinous as committed by the co-accused and he does not deserve to be granted regular bail.

From the evidence available on record, it transpires that the petitioner and his co-accused, namely Robin Bishnoi, returned to the shop of the injured person after he refused to treat them. This time they came armed with a knife and the co-accused stabbed the injured person in the stomach while the petitioner held him from behind. Thus, it is incorrect to argue that the petitioner is only accused of a simple injury.

Under the circumstances, I do not find any ground to allow the petition and the same is dismissed.

(SUDHIR MITTAL)
JUDGE

13.10.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No