

215.

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

CRM-M-29904-2020

Date of decision: 09.10.2020

RAM NIWAS

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ashish Sanghi, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana,
with ASI Jarnail Singh.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.241 dated 07.06.2020, under Sections 148, 149, 323, 324, 506 of IPC (Section 307 IPC added lateron) registered at Police Station Purani Sabzi Mandi, District Rohtak.

Counsel for the petitioner submits that the injury with knife blow was never attributed to the petitioner. Moreover, the petitioner was never named in the FIR despite the fact that the complainant and the petitioner are residing in the same locality and that too in front of the house of each other. He further states that it is after 2 months, the offence under

Section 307 IPC has been added and that injury attracting Section 307 IPC has been attributed to the co-accused Chand. Petitioner is in custody since 03.08.2020.

Learned State counsel submits that the injured-complainant has submitted another application wherein the name of the petitioner has been mentioned. However, she is fair enough in submitting that the injury which attracts Section 307 IPC has been attributed to the co-accused Chand.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 03.08.2020 and he was not named in the initial version despite the fact that the complainant and petitioner are otherwise known to each other and they are living in front of each other, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

09.10.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No