

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

**CRM-M-32755-2020 (O&M)
Date of Decision:09.11.2020**

Narender @ Neetu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr.Tanmoy Gupta, Advocate for the petitioner.

Mr.Parveen Kumar Aggarwal, DAG, Haryana.

SANT PARKASH, J.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

CRM-27487-2020

This is an application for placing on record medical report dated 30.10.2020 as Annexure P-5.

Application is allowed. Annexure P-5 is taken on record.

Main case

Petitioner prays for grant of regular bail in a pending case arising out of FIR No.513 dated 11.08.2019 registered under Sections 147, 148, 307, 323, 324, 452, 506 and 201 of the Indian Penal Code and Sections 25/54/59 of the Arms Act at Police Station, Camp Palwal, District Palwal.

As per the allegations in the FIR, the petitioner along with co-accused trespassed the house of Bharat, where one Arun and complainant (Mahender @ Mahesh) were present. They attacked on the complainant party. The role of the present petitioner in this incident is that he has been attributed injury on the head of complainant Mahender @ Mahesh by Farsa.

Learned counsel for the petitioner submits that the petitioner is in custody since 12.09.2020 and is not required for any interrogation. He further submits that injuries alleged to have been caused by the petitioner are simple in nature.

He prays for granting regular bail to the petitioner.

Learned counsel for the State submits that the petitioner in connivance with the co-accused has committed very serious offence and he does not deserve concession of regular bail.

This Court has heard the learned counsel for the parties.

It is alleged that the petitioner has been attributed role of causing injury on the head of complainant. However, as per the medical report (Annexure P-5), the injury suffered by the complainant on his head, has been reported to be not dangerous to life. Other co-accused have already been granted the benefit of regular bail by the learned trial court vide orders dated 04.12.2019 and 09.12.2019, which is not disputed by the learned counsel for the State. The petitioner is in custody since 12.09.2020. Further, the final report under Section 173 Cr.P.C. has been presented and no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the facts and circumstances of the case and also on the grounds of parity and medical report, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate.

The petition is allowed.

09.11.2020
mks

(SANT PARKASH)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether Reportable:	Yes / No