

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-54186-2019 (O&M)
Date of decision: 08.01.2020

Sumit Dahiya

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.S. Kathuria, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.398 dated 26.07.2019 under Sections 148, 149, 323, 324, 325, 326, 427, 506 IPC, registered at Police Station City Yamuna Nagar.

Learned counsel for the petitioner submits that prior to registration of the aforesaid case, FIR No.197 dated 15.07.2019 was registered at the instance of mother of the petitioner under Sections 452, 379-B IPC against the complainant party at Police Station Gandhi Nagar, Yamuna Nagar and on that account, the petitioner has been falsely implicated in the present case. It is further submitted that the petitioner is first offender; he is in custody for the last more than 04 months and 22 days; challan stands presented; charges have been framed and it will take some time in conclusion of the trial, as the prosecution evidence is yet to start.

Learned counsel for the petitioner further submits that as per allegations in the FIR, the complainant party was travelling in a vehicle and they were stopped by 4-5 persons and were given injuries with their respective weapons and the petitioner had given ice-pokes blows on the arms and left leg and the injuries are non-vital part of the body.

Learned State counsel, on instructions from SI Manoj Kumar, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that prosecution evidence is yet to start and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.01.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No