

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

247

**CRM-M-23265-2021
Decided on : 29.06.2021**

Sawan

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vivek Goyal, Advocate
for the petitioner(s).

Ms. Vibha Tiwari, AAG, Haryana
assisted by SI Raghubir Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 81, dated 12.03.2021, under Sections 148, 149, 323, 354-A, 427, 458, 506 IPC (later on added Sections 34, 325, 308, 307 IPC) (However, subsequently, at the time of presentation of Challan Sections 148, 149, and 308 IPC were deleted), registered at Police Station Kurukshetra University, District Kurukshetra.

While inviting the attention of this Court to the FIR in question, learned counsel for the petitioner submits that the role attributed to the petitioner in the alleged occurrence is of inflicting an iron rod blow on the right knee of the complainant's brother. Still further, learned counsel for the petitioner submits that the Doctor opined the said injury to be simple in nature which admittedly was on the non-vital part of the body. He further submits that the injury attracting the mischief of Section 307 of the IPC has

not been attributed to the petitioner and hence, the petitioner be extended the concession of regular bail as he has been in custody since 20th March 2021.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. She has, however, not been able to controvert the factual submissions made by learned counsel for the petitioner with respect to the injury received by the injured at the hands of the petitioner.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 07.06.2020, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 29, 2021

J.Ram

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