

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201) CRM-M-40483-2020
Date of Decision : 15.01.2021

Sunil

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Kanhiya Soni, Advocate for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

Mr. Shivam Grover, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present is the second petition, which has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 305, dated 11.07.2020, under Sections 323, 452, 506, 34 IPC (Section 307 IPC added later on), registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner argues that petitioner has wrongly been roped in the present FIR and the allegations mentioned therein are totally false and frivolous. Learned counsel for the petitioner further argues that the injuries, which are attributed to the petitioner, having been inflicted upon the victim Smt. Santosh, are not life threatening and hence, the inclusion of Section 307 IPC by the police in the FIR is not at all warranted. Learned counsel for the petitioner submits that it is a case of

26.07.2020, is entitled for the grant of regular bail.

Learned State counsel submits that injury No. 2, which has been attributed to the petitioner inflicted upon victim Smt. Santosh, has been declared as life threatening by the Doctors as there is a fracture in Parietal Region.

Learned counsel appearing on behalf of the complainant submits that the assertions of the petitioner that he has not attributed any life threatening to the victim, namely, Smt. Santosh, is incorrect and as per the opinion of the Doctor injury no. 2 attributed to the petitioner having been inflicted upon Smt. Santosh is life threatening. Learned counsel for the complainant further submits that the cross version given by the petitioner's side was only to dilute their acts and the complainant's side has already been granted bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

From the facts noticed here-in-above, it is clear that as per the opinion of the Doctor injury No. 2 attributed to the petitioner, having been inflicted upon victim Smt. Santosh has been declared as a life threatening. The trial is at such a stage that the petitioner cannot be allowed the benefit of bail as the complainant is yet to be examined. That being so, no ground is made out to the grant the petitioner the benefit of regular bail at this stage.

Dismissed.

January 15, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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