

218 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-29945-2022 in/and
CRM-M-16475-2022 (O&M)
Date of Decision: 22.08.2022

HARDIAL CHAND ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. S.K.Garg Narwana, Senior Advocate with
Mr. Nitin Sachdeva, Advocate
for the petitioner.

Mr. Harpreet Singh, Additional A.G.Punjab.

Mr. Rahul Rampal, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

CRM-29945-2022

Learned counsel for the applicant/petitioner contends he does not
press the present application.

Dismissed as not pressed.

CRM-M-16475-2022 (O&M)

The petitioner is seeking regular bail in case bearing FIR No.46
dated 24.02.2022 registered at Police Station Haibowal, District Police
Commissionerate Ludhiana.

Custody certificate has been placed on record.

Briefly, as per the allegations of the prosecution, the marriage of the
petitioner was solemnized with the complainant on 23.01.2022. The complainant
stayed in the matrimonial house only for a period of 15 days. The occurrence
allegedly took place on 23.02.2022. The petitioner had allegedly thrown sulphuric
acid on the thigh of the complainant.

Learned Senior counsel for the petitioner contends that the present
FIR has been lodged on account of marital discord between the parties. The total

surface area of burn is about 1% of the total body area. Furthermore, the complainant has been discharged from the hospital and is hale and hearty. The petitioner is in custody for a period of 05 months and 25 days and not involved in any other case. The investigation of the case is complete and the challan has already been presented in the Court.

Learned State counsel and the counsel for the complainant have opposed the bail application on the score that the statement of the complainant is yet to be recorded during the course of trial and furthermore, there are serious allegations with regard to throwing acid in the vaginal area of the complainant. Even the report of FSL indicates that the sulphuric acid has been detected in the bottle recovered at the instance of the petitioner and the clothes of the complainant.

It may be mentioned here that total surface area of burn is to the extent of 1% of the total body area. Even the seat of injury is thigh. The complainant has been discharged from the hospital and is stated to be hale and hearty. The petitioner is in custody for a period of 05 months and 25 days and not involved in any other case. The investigation of the case is complete and challan has already been presented in the Court. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner behind the bars.

In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate.

22.08.2022
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(VIVEK PURI)
JUDGE

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