

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52201-2021 (O&M)
Date of decision: 29.03.2022

Ashwani @ Monu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arjun Dhingra, 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.181 dated 06.07.2021 under Sections 323, 324, 34, 506 IPC and Section 307 IPC (added later on), registered at Police Station Chappar, District Yamuna Nagar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Tilak @ Shanky, while he was sitting near a temple, his neighbour Ashwani @ Monu (petitioner) came. The petitioner took his shoes for visiting the relation and did not return the same. When the complainant asked for his shoes to be returned, the petitioner started abusing and thereafter, he brought sword from his house and gave a blow on his head. It is further submitted that the story is totally improbable that on account of non-

returning of shoes of the complainant, the petitioner has caused injuries on the head of complainant-victim with sword. It is also submitted that out of total 15 prosecution witnesses, only 02 PWs have been examined and the allegations against the petitioner are of causing injuries on head of the complainant-victim. Learned counsel further submits that the petitioner is in custody for the last 07 months and 29 days.

Learned State counsel has filed the custody certificate dated 28.03.2022 in the Court today and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, 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

29.03.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No