

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

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CRM-M-56011-2022
Date of Decision:-07.12.2022

Nathi @ Amar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Anil Kumar Malik, Advocate
for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case having FIR No. 610 dated 31.07.2022 registered under Sections 323/324/326/506/120-B, 216 IPC of 1860 and Sections 25/54/59 of Arms Act at Police Station Old Industrial Area District Panipat.

Learned counsel for the petitioner submits that no specific injury has been attributed to the petitioner who was shown empty handed at the time of the occurrence. He submits that offence under Section 307 IPC has already been deleted and co-accused, Arun who gave Danda blow on the head of injured- Ravi has been given concession of anticipatory bail by this Court vide order dated 14.11.2022 Annexure P-1. He further submits that the petitioner is in custody since 06.08.2022 and the police has presented the challan after completion of investigation and as such no gainful purpose is going to be served by keeping the petitioner in detention for any longer period.

The present petition is opposed by the State counsel who on instructions from SI Inder Singh has not refuted the fact that only fist blow was attributed to the petitioner and the co-accused who gave danda blow on the head

of injured Ravi has been given the benefit of interim bail by this Court vide order dated 14.11.2022 Annexure P-1 and that the petitioner who was arrested on 06.08.2022 is presently lodged in the judicial custody and police has presented the challan against the accused persons.

In the present case only simply injuries are attributed to the petitioner who is behind the bar for the last more than 4 months. After completion of investigation, the police has presented the challan but it will take considerable time for the trial to conclude even after its commencement, co-accused Arun who gave Danda blow on the vital part of the body of injured Ravi has been granted interim bail by this Court Annexure P-1.

For the foregoing reasons, this Court is of the view that no purpose will be served by perlonging to judicial custody of the petitioner.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

07.12.2022
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(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No