

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-56144-2022

Date of Decision: 08.12.2022

AMIT

... Petitioner

VS.

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Akshay Kr. Jindal, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.190 dated 15.04.2022 under Sections 307/323/326/452/506 IPC registered at Police Station Bilaspur, District Gurugram.

(2) Learned counsel for the petitioner contends that during the scuffle between the husband and his wife, the neighbours came in between to rescue and in that process, a knife blow was accidentally given to one of the deceased Surinder apart from one injury to Nirmala. The petitioner is stated to be under the influence of liquor, at that time.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Parveen Kumar Aggarwal, DAG Haryana notice on behalf of the respondent.

(5) On the other hand, learned State counsel has filed custody certificate, which is taken on record, according to which, the petitioner is behind the bars for the last 7 months and 21 days and is not found involved in any other case to show that he is a habitual offender.

(6) Looking into the facts and circumstances of the case, apart from the fact that it was a dispute between the husband and his wife wherein accidentally the neighbour got injured and that since the conclusion of the trial is likely to take time, no fruitful purpose would be served by keeping the petitioner behind the bars, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, concerned.

(7) Ordered accordingly.

08.12.2022
V.Vishal

(Sandeep Moudgil)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No