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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1848-2023
DECIDED ON: 28th MARCH, 2023

SAGAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Rohit Kataria, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

CRM-14020-2023

Prayer in the present application is for placing on record the medico-legal report of the injured/complainant as Annexure A-1 and also for exemption from filing the certified copy thereof.

Application is allowed, as prayed for.

Annexure A-1 is taken on record subject to all just exceptions.

CRM-M-1848-2023

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 724, dated 11.10.2021, under Sections 323, 506 IPC (Section 307 IPC added later on), registered at Police Station Rohtak City, District Rohtak.

Learned counsel for the petitioner has contended that the FIR was

registered on 11.10.2021 whereas the alleged occurrence took place on 01.10.2021. It is asserted that the allegation qua the petitioner is that he gave a danda blow on the head of the complainant. The assertion is that the offence under Section 307 IPC is not made out as the injury was with the blunt weapon.

Custody certificate of the petitioner filed by learned State counsel is taken on record. According to which, the petitioner has undergone the custody for a period of 10 months and 23 days of as of now. The petitioner is also involved in one another case but is on bail, as is evident from the custody certificate.

Considering the custody period undergone by the petitioner and the fact that the altercation alleged to have taken place amongst the friends at the birthday party on a sudden provocation added with the facts that challan stands presented wherein conclusion of trial shall take sufficient long time, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind bars.

The petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands allowed in the afore-said terms.

(SANDEEP MOUDGIL)
JUDGE

28th MARCH, 2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>