

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16711-2023
Decided on : 17.04.2023

Ismail

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Saurabh Sharma, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.306 dated 06.10.2022 under Sections 323, 506, 34 IPC (Section 307 IPC added later on) registered at Police Station Dhauj District Faridabad.

Learned counsel for the petitioner submits that the occurrence in question took place on the spur of moment between the petitioner and the complainant, who is none other than his real brother and subsequently, with the intervention of the family members and relatives, they had ironed out their differences vide compromise Annexure P-4. It has also been submitted that as per the allegations levelled, the petitioner inflicted farsa blow on the

head of the complainant, however, as per the opinion of the doctor, the said injury was not dangerous to life but was declared to be simple in nature. Learned counsel further submits that investigation is complete and the petitioner has been in custody since 18.11.2022, and there is no likelihood of the trial concluding in the near future as charges are likely to be framed on the next date of hearing i.e. 28.04.2023.

Per contra learned State counsel assisted by counsel for the complainant has not been able to dispute that the injury allegedly inflicted by the petitioner on the complainant was opined to be simple in nature and not dangerous to life.

Learned counsel for the complainant has also not disputed that the complainant is the real brother of the petitioner and subsequent to the registration of FIR in question, the petitioner and the complainant with the intervention of their family members had ironed out their differences.

Heard learned counsel for the parties and perused the relevant material on record.

In the facts and circumstances as enumerated hereinabove, keeping in view that the petitioner has been in custody since 18.11.2022, and only challan stands presented till date, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned. However, it is made clear that anything

observed hereinabove shall not be construed to be an expression of opinion
on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

17.04.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No