

2024:PHHC:006655

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

247

**CRM-M-1329-2024
Date of Decision: 18.01.2024**

Pawan @ Pona

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present: Mr. Ashish Pannu, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.190 dated 30.08.2022 (Annexure P-1) registered under Sections 148, 149, 120-B, 323, 341 and 506 IPC (Sections 307 and 325 IPC added later on) at Police Station Alewa, District Jind.
2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case by the complainant, who is a practising Advocate at Jind.
3. Learned counsel further contends that except one injury on the forehead, all injuries suffered by the complainant were not on the vital parts. Even the injury suffered by the complainant on forehead was declared to be simple in nature. He further contends that as per the medical report Annexure P-2, five injuries i.e. 1, 4, 6, 7 and 8 were declared to be simple in nature and other injuries i.e. 2, 3 and 5 were declared to be grievous in nature. He further contends that no injury has been declared to be dangerous to life and still the police had added the offence under Section 307 IPC under the pressure of the complainant. Learned counsel further contends that the

prosecution has relied upon 16 witnesses. However, no witness has been examined so far and no meaningful purpose will be served by keeping the petitioner behind the bars.

4. On the other hand, Ms. Sheenu Sura, DAG, Haryana has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner had caused a blow with an iron rod on the forehead of the complainant. However, the injury suffered on the forehead of the complainant was declared to be simple in nature.

4. I have heard learned counsel for the parties and perused the record.

5. The petitioner is in custody since 09.09.2022 and no witness has been examined so far. Even otherwise as per the medical record, no injury has been declared to be dangerous to life and the injured has been discharged from the hospital long ago and no meaningful purpose will serve to keep the petitioner behind the bars.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

(N. S. SHEKHAWAT)

JUDGE

18.01.2024

M.Sikka

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No