

2024:PHHC:024102

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

244

CRM-M-8302-2024
Date of decision : 21.02.2024

Subhash Chand Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.180 dated 09.10.2023, registered for the offences punishable under Sections 323, 324, 452 and 506 of IPC (Sections 307 and 34 of IPC added later on and Sections 148 and 149 of IPC deleted later on) at Police Station Jathlana, District Yamuna Nagar.
2. As per the allegations levelled in the FIR, the petitioner is stated to have inflicted injuries on the person of the complainant as well as her husband with dandas.
3. Counsel for the petitioner relies upon order dated 05.02.2014 passed in CRM-M-4499-2024, whereby co-accused Mukesh Kumar who is also facing similar allegations stands admitted to bail observing as under:-

2024:PHHC:024102

“xx xx xx

3. The allegations against the petitioner are of having inflicted danda blows on the hand of the complainant as well as her husband. The dispute primarily is within the family as the parties are closely related. Petitioner is behind bars for more than 02 months and 22 days.

4. Counsel for the State does not dispute the aforementioned factual position based on record.

5. Keeping in view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.”

4. Petitioner is behind bars since 26.12.2023. Challan already stands presented.

5. Keeping in view the fact that incarceration already suffered by the petitioner and granting him parity alongwith co-accused Mukesh Kumar, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

21.02.2024
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No