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2024:PHHC:037500

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-12545-2024

Date of Decision: March 15, 2024

VIKASH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kushagra Beniwal, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 589 dated 26.08.2023 registered under Sections 323, 341, 506, 34 and 307 of IPC (Section 307 of IPC was added later on) at P.S. City Sirsa, District Sirsa wherein, the petitioner has been implicated for having inflicted brick blow on head of the injured-complainant.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the fact that the injury attributed to the petitioner is on the vital part of the body and thus, the petitioner does not deserve the concession of regular bail.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. A perusal of the FIR shows that the petitioner gave a brick blow on the head of the victim which is injury No.1 as per MLR and the same is simple in nature, in terms of opinion given by the Medical Officer, Civil Hospital, District Sirsa. Moreover, the petitioner is a young

man of 29 years of age who is not involved in any other case under the provisions of IPC and investigation in the present case already stands concluded with the filing of challan followed by framing of charges. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

15.03.2024

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>