

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15625-2024

Date of Decision: 05.04.2024

Munish Kumar alias Rinka

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Satish Saini, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Molly Tarunima Tagore, Advocate
for Mr. Rishi Nijhawan, Advocate, for the complainant.

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 regular bail in case FIR No.179 dated 09.09.2023 registered under Sections 148, 149, 323, 324, 506 of IPC and Sections 325, 326 added later on, at Police Station Guhla, District Kaithal, Haryana.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered by the police after a delay of about 24 hours. Even as per the case of the prosecution, the petitioner had tried to cause an injury on the backside of the head with a gandasi but the blow landed on left hand, causing grievous injuries. He further contends that the injured has been discharged long ago. The petitioner was arrested in the present case on 11.10.2023 and the final report under Section 173 Cr.P.C. has already been presented against him.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are serious and specific allegations against the present petitioner and he does not deserve the concession of bail by this Court.

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

5 The petitioner is in custody since 11.10.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. Moreover, the injured has already been discharged from the hospital and he is hale and hearty. No purpose would be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

05.04.2024.
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(N.S.SHEKHAWAT)
JUDGE

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