

Mander Singh Vs. State of Haryana

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Court : Punjab and Haryana

Decided On : Oct-08-2013

Appellant : Mander Singh

Respondent : State of Haryana

Judgement :

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Criminal Misc.

No.M-31615 of 2013 Date of decision: 08.10.2013 Mander Singh ...Petitioner Versus State of Haryana ...Respondent CORAM: HON'BLE Mr.JUSTICE INDERJIT SINGH Present: Mr.Balraj Singh Sidhu, Advocate, for Mr.Jagjit Gill, Advocate, for the petitioner.

Mr.Subhash Godara, Additional Advocate General, Haryana, for the respondent-State.

**** INDERJIT SINGH, J.

Petitioner Mander Singh has filed the present petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.55 dated 26.03.2013, registered at Police Station Kalanwali, District Sirsa, under Sections 148, 149, 323, 324, 325, 326 and 506 IPC (Sections 325 and 326 added lateron).Learned counsel for the petitioner contended that as per FIR, no specific injury is attributed to the petitioner.

He is in custody since 15.06.2013.

The offence under Section 326 IPC is triable by the Court of Judicial Magistrate Ist Class.

On the other hand, learned State counsel opposed the bail application.

From the record, I find that as per FIR, seven persons had assaulted the complainant, out of whom, four were stated to be Malhotra Mamta 2013.10.08 14:56 I attest to the accuracy and integrity of this document Chandigarh Criminal Misc.

No.M-31615 of 2013 -2- armed with 'kirpan' and only one sharp injury is stated to have been caused.

As per FIR, no specific injury has been attributed to the petitioner.

As per Investigating Officer, 'kapa' has been recovered from the petitioner.

He is in custody since 15.06.2013.

The petitioner is not required for any further interrogation as he is already in judicial custody.

The offences are triable by the Court of Judicial Magistrate Ist Class.

The trial of the case will take long time.

No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the merits of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on furnishing bail bonds in the sum of ` 30,000/- with one surety in the like amount to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sirsa.

08.10.2013 (INDERJIT SINGH) mamta JUDGE Malhotra Mamta 2013.10.08 14:56
I attest to the accuracy and integrity of this document Chandigarh

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