IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-27189 of 2017 (O/M)
Date of decision : 31.8.2017

Arshad   .... Petitioner

Versus

State of Haryana   .... Respondent

CORAM :   HON'BLE MR. JUSTICE KULDIP SINGH

Present:-   Mr. Randhir S. Hooda, Advocate, for the petitioner.

Mr. Pawan Garg, Assistant A.G. Haryana.

1.   Whether the Reporters of local newspaper may be allowed to see the judgment ?
2.   To be referred to the Reporter or not.
3.   Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

The learned counsel for the petitioner states that the petitioner has been summoned under Section 319 Cr.P.C. through non bailable warrants for offences punishable under Sections 323, 325, 307, 506, 148, 149, 452 IPC, vide order dated 22.11.2016 (Annexure-P-2), passed by the learned Additional Sessions Judge, Palwal. His anticipatory bail was dismissed by the learned Additional Sessions Judge, Palwal, vide order dated 20.7.2017 (Annexure-P-3). It is contended that in the FIR, petitioner was attributed blows on the nose of the injured. However, in the statement recorded before the Court, a fist blow on the neck is attributed. It is further contended that petitioner was found innocent during the investigation.

After hearing the learned counsel for petitioner as well as the learned State counsel, I am of the view that the petitioner was initially found innocent by the investigating agency. Now, he has been summoned as additional accused on an application filed under Section 319 Cr.P.C. The

trial is already going on. The custody of petitioner will not serve any purpose.

In these circumstances, present petition is allowed. The petitioner is directed to surrender before the trial Court within one week and on his appearance, he will be released on bail in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the trial Court, subject to such conditions, as may be imposed.

(KULDIP SINGH)
JUDGE

31.8.2017
sjks

Whether speaking / reasoned   :   Yes

Whether Reportable   :   No