
(2011) 03 P&H CK 0383

In the Punjab And Haryana At Chandigarh

Case No : CRM-M No. 37346 of 2010 (O and M)

Taufique and Others

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 14-03-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 148, 149, 302, 307, 323

Citation : (2011) 03 P&H CK 0383

Hon'ble Judges : Alok Singh, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Alok Singh, J.—This is an application seeking regular bail in case FIR No. 112 dated 16.3.2010, under Sections 148/149/323/452/307/506/302 of Indian Penal Code, registered at Police Station Hathin, District Palwal.

2. Learned Counsel for the Petitioner has vehemently argued that Petitioners have not caused any injury on the person of deceased Yakub.

3. Perusal of the record reveals that Petitioners No. 1 and 2, i.e. Taufique and Farookh have given lathi blow on the person of Asgar-complainant. However, injuries on the person of Asgar-complainant were found simple in nature. Record further reveals that Petitioner No. 3 Irfan has given one saria blow on the person of Abdul Rehman and Petitioner No. 4 Saddique has also given one saria blow on the person of Usman. Injuries on the person of Abdul Rehman and Usman were already found to be simple in nature. Petitioners are in jail since 23.5.2010.

4. Hon"ble the Apex Court in the case of "State of Kerala v. Raneef 2011 (1) RCR 381", has observed that in the event of rejection of the bail application, period spent in the jail during the trial cannot be restored to the Petitioner-accused in the event of his acquittal.

5. The record reveals that no P.W. has been examined so far.

6. Considering totality of the facts and circumstances of the case, present petition is allowed. Let Petitioners be released on bail to the satisfaction of the Trial Court.