

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

Criminal Misc. No. M-405 of 2020 (O&M)
Date of Decision: 15.05.2020

Manjeet

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Tejinder Pal Singh, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANIL KSHETARPAL, J.

CRM-10599-2020

Allowed as prayed for.

Annexures P-2 and P-3 are taken on record.

CRM-10601-2020

With the consent of learned counsel for the parties, hearing of the application for grant of bail is pre-poned to today. Taken on Board for final disposal.

Application stands allowed.

MAIN

The petitioner prays for grant of regular bail pending trial in a criminal case arising out from FIR No.442, dated 29.05.2019, registered under Sections 307/324/148/149 IPC (Sections 148 and 149 IPC deleted during investigation) and Sections 201/34 IPC (added later on), at Police Station, Karnal, Civil Lines, District Karnal.

The gist of the case of the prosecution has been noticed by learned Additional Sessions Judge, Karnal, in para No.2 of the order, which is extracted as under:-

2. *“Brief facts of the case are that the FIR was got recorded by Virkam stating therein that Gaurav injured is his uncle's son and is working at Gurgaon in Maruti. He had come on leave. On 27.05.2019 he and Gaurav had come at the back side of bus stand at 1.30 p.m. and there were 8-10 boys standing there. One boy was having a knife. When Vikram went a little ahead all the boys caught hold Gaurav and one boy gave a knife blow on his chest and stomach 4-5 times. Gaurav raised noise Maar Dia maar dia. Many people collected there. All the boys and the person who had given knife blows, ran away of motor cycles from the spot. On his inquiry he found out that the boy who had given knife blows to Gaurav, was Manjeet accused/applicant alongwith one other boy Babu @ Mannu. The passer by got him admitted in the medical college, Karnal.”*

Hearing of the case was held through video conferencing on account of lock-down.

Learned counsel for the petitioner submits that the first informant as well as the alleged injured has not supported the version of the prosecution. He draws attention of the court to the statement of PW1-Vikram, first informant and PW2-Gaurav (the alleged injured). He further submits that the prosecution had got declared both the witnesses hostile.

On the other hand, learned State counsel has opposed the application on the ground that the petitioner is involved in a heinous crime.

Keeping in view the facts of the case more particularly the

statements of PW1 and PW2 and without commenting on merits of the case, it is considered appropriate to direct that the petitioner be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition is allowed.

(ANIL KSHETARPAL)
JUDGE

May 15, 2020
nt

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