

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-792-2020

Date of Decision: 15.01.2020

Anuj @ Joni

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Raghav Sharma, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-
Anuj @ Joni, has prayed for grant of regular bail in case FIR No. 0891
dated 23.10.2019 registered under Sections 148, 149, 186, 307, 332, 353
and 506 IPC (challan presented under Sections 186, 326, 332, 353 and
506 read with Section 34 IPC) and Section 25 of the Arms Act at Police
Station Karnal City, Karnal.

According to prosecution, in the morning of 23.10.2019, a
checking team of Haryana Roadways, intercepted Haryana Roadways
bus bearing registration No. HR-45-B-7848, for checking of passengers
without ticket. During the course of checking, five young boys were
suspected without tickets, out of whom three fled away from the back
door of the bus. On questioning remaining two young boys, out of
whom, one was the petitioner, the other three boys who earlier fled away

came back and made an attempt to take away the remaining two boys. During this process, petitioner inflicted a knife blow to Sub Inspector-Ishwar, pointing out at his chest, which finally landed on his right shoulder and on medical examination was declared grievous in nature.

Learned counsel *inter alia* contends that petitioner is in custody since 01.11.2019. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail. Nothing has to be recovered from him. Co-accused of the petitioner, namely; Sagar, has already been enlarged on bail vide order dated 17.12.2019 (Annexure P-2) of the learned Additional Sessions Judge, Karnal. Thus, treating the case of the petitioner on the same parity as that of his co-accused, he may be released on bail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case and treating the case of petitioner on the same parity as that of his co-accused, the petition is allowed. Consequently, petitioner-Anuj @ Joni, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

January 15, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No