

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

206

CRM-M No.10483 of 2020

Date of Decision: June 5<sup>th</sup>, 2020

Manish @ Kalu and another

...Petitioners

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Munish Behl, Advocate  
for the petitioners.

Mr. Apoorv Garg, Deputy Advocate General, Haryana.

**(PROCEEDINGS THROUGH V.C.)**

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Prayer in this petition is for grant of regular bail to the petitioners in FIR No.772 dated 04.12.2018 registered under Sections 323, 324, 307 (added later on), 506 and 34 IPC and Section 25 of the Arms Act, 1959, at Police Station Saran Faridabad, District Faridabad.

It is the contention of learned counsel for the petitioners that petitioner No.1 was arrested on 22.06.2019 and petitioner No.2 on 24.06.2019. Sword injury has been attributed to petitioner No.1 but referring to the medico legal report as also the NCCT as conducted, he contends that there is no fracture, which has been found because of the injury caused by the petitioner. He asserts that there are total two injuries on the complainant Parveen @ Monu and one on the person of Neelam. Out of 13 witnesses cited, 6 witnesses have been examined and, therefore, the trial is not likely to conclude in near future. Almost one year is about to expire since the petitioners are in custody. With the prevailing pandemic, the trial is likely to take a long time. He, therefore, prays for the grant of benefit of bail.

On the other hand, learned counsel for the State submits that

the injury, which has been attributed to the petitioners have been declared dangerous to life. He contends that the complainant and the injured witness are yet to be examined. Assertion has also been made that the petitioners having used deadly weapon i.e. Sword be not granted the concession of bail.

I have considered the submissions made by the counsel for the parties and with their assistance, have gone through the records of the case.

It is true that sword has been used by petitioner No.1 in the commission of the offence but there being no fracture on the head and further that the petitioners are in custody for almost one year now, with the next date of hearing being 30.07.2020 and the prevailing situation casts some uncertainty with regard to the early conclusion of the trial, the prayer made by the petitioners is accepted and the present petition is allowed.

Petitioners are directed to be released on regular bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Faridabad.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

**June 5<sup>th</sup>, 2020**  
*Puneet*

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No