

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15562-2020 (O&M)
Date of Decision:-25.2.2021

Pritam @ Pallad

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manoj K. Tanwar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Arun Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.61 dated 11.2.2020 at Police Station Kaninna, District Mohindergarh under Sections 148/149/323/324/452/506 of Indian Penal Code, wherein offences under Sections 326 and 307 IPC were added later on.
2. The FIR was lodged at the instance of Dharmbir, wherein it is alleged that on 11.2.2020 when he alongwith his brother Rajender Singh was sitting in his house, his elder brother Krishan Kumar also came there. It is alleged that shortly thereafter Pritam @ Pallad, Sonu, Sittu, Krishan, Naveen, Gaurav,

Anuj, Satey, Sandeep, Ashish and Chutka also entered their house. It is alleged that Naveen, Krishan son of Dharambir, Sonu, Sittu and Pritam grappled with complainant's brother Krishan Kumar. It is alleged that Pritam, who was carrying an axe, gave a blow with the same on the head of complainant's brother Krishan Kumar and thereafter ran away from the spot.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and infact the petitioner was earlier released on bail but subsequently upon addition of offences under Sections 326 and 307 IPC, he was arrested on 26.2.2020 and has been in custody ever since. Learned counsel for the petitioner has submitted that it is infact a case of cross-version, wherein the petitioner himself had sustained injuries as would be evident from MLR (Annexure P2).
4. On the other hand, learned State counsel has submitted that since it is the petitioner only, who is the assailant and who is attributed an axe blow on the head of the injured Krishan Kumar, no case for grant of bail is made out particularly since the petitioner happens to be involved in two other identical cases.
5. I have considered rival submissions addressed before this Court.
6. No doubt the petitioner has been attributed the injury in respect of which offences under Sections 326 and 307 IPC have been added, but this Court cannot lose sight of the fact that the petitioner has been behind bars since the last one year and the trial of the case is yet to commence inasmuch as even the charges have not been framed so far. In these circumstances, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time. The petition, as such, is accepted and the

petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.2.2021

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No