

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

109+232

**CRM-34649-2021 in/and
CRM-M-26219-2021
Date of Decision: 27.10.2021**

Krishan Pal @ Changa

....Applicant/Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Pankaj Mehta, Advocate for applicant/petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

CRM-34649-2021

This application under Section 482 Cr.P.C. is for preponing the date of hearing of the main petition.

Since the main case has already been fixed for today i.e. 27.10.2021, instant application is disposed of having been rendered infructuous.

Main Case

Present petition under Section 439 Cr.P.C for grant of regular bail has been moved by petitioner-**Krishan Pal @ Changa** in case FIR No.224 dated 11.10.2019 under Sections 148, 307, 323, 324 and 506 IPC read with Section 149 IPC, registered at Police Station Sector-14, Panchkula.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that allegedly petitioner along with co-accused while armed with deadly weapons in prosecution of common object of unlawful assembly inflicted multiple injuries on the person of complainant-injured Sumeet @ Vicky. He further urges that a bare perusal of allegations, as set up in the FIR, no specific injury on the person of complainant-injured Summet @ Vicky has been attributed to petitioner. He further urges that allegedly injuries by means of sword on the head as well as left hand of complainant-injured Sumeet @ Vicky have been attributed to co-accused Ajay @ Mental. He further submits that co-accused namely Guru Parshad and Sultan have already been extended concession of regular bail by this Court, vide orders dated 01.07.2020 and 27.05.2021 passed in CRM-M-15334-2020 and CRM-M-19053-2021 (Annexures P/4 and P/5) respectively. He further submits that petitioner is languishing in custody since 05.03.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented against him in Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 05.03.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Krishan Pal @ Changa** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Panchkula, as the case may be.

(LALIT BATRA)
JUDGE

27.10.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No