

211

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

CRM-M-32662-2021

Date of decision : 17.08.2021

Arpit Jain

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pardeep Goyal, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is to grant regular bail to the petitioner in FIR No.444 dated 06.07.2021 registered under Sections 323, 324, 506, 307, 326 of the Indian Penal Code, 1860 (hereinafter to be referred as "IPC") at Police Station Suraj Kund, District Faridabad.

Learned counsel for the petitioner has vehemently submitted that as per the FIR, there is no attribution to the petitioner and in fact has stated that the petitioner and one Monica had slept in a separate room and the complainant had slept with one Shubham. The allegations of injury have been specifically attributed to the said Shubham. The petitioner has been in custody since 07.07.2021 and has never been involved in any other case.

On the other hand, learned counsel for the State has submitted that in this case, there is a disclosure statement of co-accused namely Shubham Saurabh who has attributed the main injury on account of which

Section 307 of IPC has been attracted to the present petitioner. It has further been stated by the learned counsel for the State that knife and clothes have been recovered from the place of crime on the disclosure of the petitioner.

Learned counsel for the petitioner has submitted that in fact no such recovery has been made on the disclosure of the petitioner and the said Shubham, who as per the allegations of the complainant has caused all the injuries and is the main accused, is apparently trying to save himself and trying to involve the petitioner.

This Court has heard learned counsel for the parties.

Admittedly, Harshil is the injured in the present case. In his statement, which is the basis for registration of the FIR, he has stated that no attribution has been made to the petitioner. The entire attribution in specific details has been made against Shubham. Even, the motive has been alleged to the said Shubham. The version of the said Shubham cannot be taken on the face value at this stage. The petitioner has been in custody since 07.07.2021 and has not been involved in any other case.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

17.08.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No