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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.34637 of 2021  
Date of Decision: 24.09.2021

RAJAN @ DAUD

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sanchit Punia, Advocate  
for the petitioner.

Mr. Karan Garg, Asstt. A.G., Haryana.

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**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.26 dated 25.01.2021, registered under Sections 323, 324, 326, 341, 506, 34, 285 IPC and Sections 25-54-59 of the Arms Act at Police Station Civil Lines, District Hisar.

FIR was registered at the instance of Mukul with the allegations that he along with his cousin Vikas had gone to temple to pay obeisance. Thereafter they were returning home at about 8.00 P.M. When they reached near PLA Sector Gate Hisar, three persons came there on motorcycle and blocked the

path. All the boys were known to the complainant. The boys were Rajan @ Daud (petitioner), Kartik and Mangal @ Panday. Kartik aimed his pistol at the face of the complainant and exhorted that the complainant be eliminated due to his taking side with the enemy. Thereafter petitioner opened attack upon the complainant and gave a knife blow in his abdomen. Thereafter all the assailants fled away on the motorcycle.

The injury attributed to the petitioner is grievous in nature and covered under Section 326 IPC. Co-accused Mangal @ Panday has been granted regular bail vide order dated 30.07.2021 passed in CRM-M No.26950 of 2021.

Learned counsel for the petitioner submits the petitioner is in custody since 25.03.2021. Challan has already been filed, but no prosecution witness has been examined so far.

Per contra, learned State counsel opposed the bail on the ground that the main injury is attributed to the petitioner. Keeping in view the nature of injury, petitioner does not deserve any concession of regular bail, even if the offence is triable by the Magistrate.

Having considered the arguments, I am of the *prima facie* view that the petitioner is in custody since 25.03.2021. After filing of challan, charges have been framed, but no prosecution witness has been examined so far. The offence is triable by the Magistrate. Trial of the case in any case may take

sometime in its culmination.

At this stage, without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

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|---------------------------|-------------------|
| September 24, 2021        | (RAJ MOHAN SINGH) |
| <i>Atik</i>               | JUDGE             |
| Whether speaking/reasoned | Yes/No            |
| Whether reportable        | Yes/No            |