

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-1778-2022

Date of Decision:-07.02.2022

Suraj @ Surja.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Rajat Mor, Advocate for the Petitioner.

Mr. Parveen Aggarwal, DAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.296 dated 06.07.2021 under Sections 323, 326, 148, 149, 307, 506 IPC and Section 25 of the Arms Act registered with Police Station Jind Sadar, District Jind.

The complainant has alleged in the FIR that he along with Satender received injuries at the hands of six accused including the petitioner. He further states that in the FIR that Jaideep @ Batua co-accused of the present petitioner is the person who fired at Satender. This is the injury attracting Section 307 IPC.

Learned Counsel for the petitioner states that the petitioner has been attributed the role of having caused a *Gandasi* blow on the left hand of the complainant. He states that this injury would attract Section 326 IPC at

best. He further states that co-accused of the petitioner, namely, Rohit @ Bindra, Darshan, Pardeep son of Jagmender and Pardeep son of Ram Kala have been granted the concession of regular bail and the orders are attached as Annexure P-2 to P-5. He however, admits that the case of the four accused who have been granted bail is different from that of the petitioner as those four accused have not caused any injuries to any of the injured.

Learned Counsel for the State on a query admits the factual position. He further states that as per his instructions from ASI Surinder Singh there is no permanent damage to the hand of the complainant-Sunil.

Having considered the rival contentions of both the parties, it is apparent that the petitioner is in custody since 8.7.2021 is not the accused who has been attributed the injury attracting Section 307 IPC. Further as many as 21 witnesses are to be examined during the course of trial.

Therefore, without commenting upon the merits of the case, keeping in view the custody period, role of the petitioner and the fact that the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner **Suraj @ Surja** is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, Jind.

It is further made clear that if petitioner indulges in similar offence for which he is currently charged, the State would be at liberty to move an application for cancellation of bail.

(JASJIT SINGH BEDI)
JUDGE

February 07, 2022
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>