

CRM-M-2109-2022

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

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Date of decision: 11.07.2022

Rajpal

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parveen Chauhan, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Virender Kumar, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition (the first one having been dismissed on 25.08.2021), the petitioner seeks regular bail in case FIR No.770 dated 06.12.2020, registered at Police Station City Karnal, District Karnal, under Sections 148, 149, 323, 325, 307 and 506 IPC.

As per the case of the prosecution, the petitioner had inflicted injury with a brick, on the chest of the complainant.

Learned counsel for the petitioner contends that the petitioner had not caused any injury to injured-Nathi Ram; that the petitioner was in the process of stopping the complainant and others for not demolishing the *Dharamshala*, and that when the injured alongwith others came to demolish the *Dharamshala*, a brick had fallen on his chest resulting into

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the injuries on his person. The petitioner has been in custody since 02.03.2021. There is no other case registered or pending against the petitioner. On this premise, learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, assisted by the learned counsel for the complainant, submits that the petitioner had caused an injury with a brick, on the chest of the injured; that the said injury has been declared dangerous to life, and that the complainant has been partly examined and his cross-examination is yet to be recorded.

I have heard the learned counsel for the parties.

Though a brick blow on the chest of the injured has been attributed to the petitioner, yet the fact remains that he has been in custody since 02.03.2021 and there is no other case registered or pending against him. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

11.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No