

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

CRM-M-10435-2021
Date of Decision:-08.07.2022

SHANKY

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Suneel Ranga, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.512 dated 4.9.2020 registered under Sections 323, 307, 34 IPC and Section 25 of Arms (Section 324 IPC deleted later on) at Police Station Karnal City, District Karnal.

The counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and is in custody for the last more than 1 year and 10 months and is having no criminal history. The counsel further contends that only allegations against the petitioner are that at the time of occurrence he attacked complainant and caused injuries on his right hand with the help of sharp edged weapon. The counsel further contends that the main allegations are against co-accused Rampreet, who is alleged to have fired at Krishan Kumar, brother of the complainant. The counsel further contends that it will take time for the trial to conclude and as such the petitioner be released on bail.

The present petition is opposed by the State counsel, who submitted that the petitioner is facing trial for an offence committed under Section 307 IPC and has been specifically named in the FIR. However, the State counsel has not disputed the custody period of the petitioner which comes out to be 1 year and 10 months, as per the custody certificate furnished on behalf of State counsel dated 8.7.2022.

As per the allegations in the FIR, co-accused Rampreet fired at Krishan Kumar brother of the complainant while the petitioner attacked complainant with sharp edged weapon and caused injury on his right hand. Undisputedly trial is going on and it will take time to culminate. The petitioner is having no criminal history and is in custody for the last 1 year and 10 months.

Keeping in view facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

08.07.2022
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No