

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

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CRM-M-9147-2022 (O&M)

Date of Decision: 20.07.2022

SUNIL KUMAR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ram Bilas Gupta, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.159 dated 17.04.2020, registered under Sections 323, 325, 307, 201, 506 and 34 IPC, at Police Station Saran, District Faridabad.

Status report by way of an affidavit dated 05.07.2022 of the Assistant Commissioner of Police, Badhkhal, District Faridabad , filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has been in custody since 14.04.2021; that it is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one; that the petitioner had also lodged an FIR No. 157 dated 17.04.2020 against the complainant party and that the similarly situated co-accused, namely, Ramjeet has already been granted regular bail by this Court vide order dated 22.03.2022. He further submits that after the registration of the FIR, the injured got recorded his statement stating

therein that the injuries on his person were attributed to Inderjeet @ Buti, Ramji and Sunil Kumar (the petitioner) and that no specific injury has been attributed to the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence and inflicted injuries on the person of the injured. He further submits that there are total 18 prosecution witnesses, out of which only one has been examined, so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.04.2021. Similarly situated co-accused has already been enlarged on bail. As per learned counsel for the petitioner, no specific injury has been attributed to the petitioner. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

20.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*