

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-11490-2022

Date of Decision: 5.9.2022

Parveen Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Govind Chauhan, Advocate,
for the complainant.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.208 dated 15.4.2021 registered for the offences punishable under Sections 148, 149, 323, 324, 307, 506 IPC at Police Station Ghraunda, District Karnal.

Counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is behind the bars for the last more than one year and four months and is having no criminal history. He further submits that as per allegations appearing on the record, the petitioner was empty handed and he simply gave fist blows to injured Kapil. He further submits that material witnesses namely Kapil and Nitin are examined during

the trial but it will take considerable time for the trial to conclude. So, no purpose is going to be served by keeping the petitioner in custody for any longer period.

Present petition is opposed by the State counsel as well as counsel for the complainant. The fact that the petitioner was unarmed and that injured Kapil and complainant Nitin have been examined during the trial, have not been disputed by the State counsel.

Counsel for the complainant submits that petitioner-Parveen is main culprit who was nursing grudge against Kapil and the entire planning to cause injuries to Kapil, was made by present petitioner-Parveen and that is why, Kapil was called to Herbal Park, Ghraunda where he was attacked by the petitioner and his companions.

I have considered the submissions made by the counsel for the parties.

As per allegations appearing on record, co-accused Ankush gave knife blow which hit in the abdomen of Kapil while petitioner-Parveen gave slaps and fist blows to Kapil. Admittedly, trial is going on and injured Kapil and complainant Nitin have been examined. The petitioner is in custody for the last more than one year and four months and it will take considerable time for the trial to terminate. As the material witnesses have already been examined, there is no apprehension that if released on bail, the petitioner is going to influence them. So, no useful purpose is going to be served by prolonging the judicial custody of the petitioner.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the

satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

September 5, 2022

Paritosh Kumar

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