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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12107-2022
Date of Decision: 19.07.2022

Suresh Pal

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Naveen Kashyap, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

Mr. H.P.S. Chopra, Advocate, the complainant.

JASGURPREET SINGH PURI, J. (Oral)

The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 333 dated 19.08.2021, under Sections 323,452,506, 34 IPC (Section 307 IPC and Section 3(1) (r), 3(2) (Va) (v), 3(1) (s) of SC & ST Act, 1989 added later on), registered at Police Station Ladwa, Kurukshetra.

It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case and he is in custody for the last 10 months. He further submitted that challan in the present case has been presented and therefore, the charges were also framed. He further submitted that no role was attributed to the petitioner and he has faced incarceration for the last 10 months and therefore, he may

be considered for the grant of regular bail.

Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that in the present case the petitioner had caught hold of the injured and the other co-accused namely Rahul had given a blow on the head of the injured and in this way, number of injuries have been caused to the injured. The injury which has been caused on the head has been declared as dangerous to life. He further submitted that although challan has been presented in the present case and charges have been framed but no witness has been examined as of date.

I have heard the learned counsel for the parties.

The role attributable to the petitioner as per the prosecution was that he had caught hold of the injured and the other co-accused had given blow on the head which was dangerous to life apart from other injuries. No witness has been examined till date although the charges were framed on 16.11.2021. Caste related allegations were also made.

Therefore, considering the aforesaid totality and circumstances of the present case, I do not deem it fit and proper to grant bail to the petitioner.

Consequently, the present petition is dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

19.07.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No