

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

CRM-M-12842-2022 (O&M)

Date of decision: 06.05.2022

Pardeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. G. S. Sidhu, Advocate for
Mr. Gourav Jain, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 198 dated 03.11.2018, registered under Sections 323, 341, 307 read with 34 of the IPC at Police Station Jakhal, District Fatehabad, wherein the chargesheet has been filed under Sections 201, 307, 34, 341, 506 of the IPC.

The first petition, bearing CRM-M-43243-2020, was dismissed as withdrawn on 05.07.2021 with liberty to petitioner to file afresh, after the statement of the injured witness is recorded.

Learned counsel for the petitioner submits that the FIR was registered at the instance of one Vikas @ Lakhan with the allegations that on 24.10.2018, when he was returning to home, in front of the house of petitioner Pardeep Kumar, he along with Raju @ Bhaggi was standing and started abusing the complainant and when the complainant protested, the

petitioner, Itwari, Shakuntla and Raju @ Bhaggi started manhandling with him and petitioner and his father Itwari gave knife blows in the abdomen of the complainant. The other accused also gave beating to complainant. Later on, the complainant was rescued by some persons and was taken to hospital.

Learned counsel further submits that the petitioner is in judicial custody for the last 03 years, 05 months and 02 days and conclusion of trial is likely to take a long time as out of 15 prosecution witnesses, only 03 witnesses have been examined so far.

Learned counsel for the petitioner further submits that co-accused Itwari has already been granted the concession of regular bail by this Court, vide order dated 10.05.2019 passed in CRM-M-13303-2019.

Learned State counsel, on the basis of the custody certificate filed today in Court, submits that the petitioner is involved in some other cases, in which, in some of the cases, he is on bail and in some cases, he is in custody.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that the petitioner is in judicial custody for the last 03 years, 05 months and 02 days and conclusion of trial is likely to take some time as out of 15 prosecution witnesses, only 03 witnesses have been examined so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

06.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*