

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

CRM-M-18855-2022
Date of Decision:-11.05.2022

ABHILAKSH @ JEENU

... Petitioner

Versus

STATE OF HARYANA AND ANR

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Punit Malik, 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.708 dated 3.12.2021 registered under Sections 323, 307, 34 IPC and Section 25 of Arms Act at Police Station City (Sonipat) District Sonipat.

The counsel for the petitioner contends that during the trial, complainant-Aryan (respondent No.2) and eye-witness namely Yashwant failed to support the case of the prosecution.

Notice of motion.

On the asking of the Court, Ms. Harpreet Kaur, AAG, accepts notice on behalf of State of Haryana.

At this stage, Mr. Paramjeet Phor, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record.

The State counsel on instructions from SI Ranbir as well as the counsel for the complainant have admitted the fact that the complainant and eye-witness have resiled during the trial. Copies of their statements are already placed on record as Annexure P-1 and Annexure P-2.

The FIR in the present case was registered on the basis of statement of respondent No.-2 namely Aryan, in which, he alleged that the petitioner attacked him with knife and caused injuries to him and even his accomplice also attacked and caused injuries to him.

Admittedly, complainant-Aryan (respondent No.2) and eye-witness namely Yashwant while appearing in the witness-box have not supported the case of prosecution. It will take time for conclusion of the trial. So, no purpose is going to be served by keeping the petitioner in custody for any longer 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

11.05.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No