

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19749-2022

Date of Decision: 5.9.2022

Rajat

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.K.Agnihotri, 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 Gharaunda, 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 three months and is having no criminal history. He further submits that only allegations appearing on record against the petitioner are that he conspired with other accused persons and called Kapil to Herbal

Park, Ghraunda where he was attacked and was given knife blows. He further submits that injured Kapil and complainant Nitin have already been examined and it will take time for trial to conclude and as such, no purpose is going to be served by keeping the petitioner behind the bars for any longer period.

Present petition is opposed by the State counsel as well as counsel for the complainant. The facts 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 the present petitioner in connivance with other accused called Kapil to Herbal Park, Ghraunda where he was inflicted injuries.

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

As per allegations appearing on record, the petitioner conspired with his companions and called Kapil to Herbal Park where co-accused Ankush gave knife blow in the abdomen of Kapil while co-accused Parveen gave slaps and fist blows to him. 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 three 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
Whether reportable

Yes/No
Yes/No21