

CRM-M-20152-2022

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

CRM-M-20152-2022

Date of decision: 24.05.2022

Pankaj @ Ganja

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. V.B.Godara, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.311 dated 01.08.2019, registered under Sections 147, 148, 149, 307, 323, 302 and 303 IPC, registered at Police Station Azad Nagar, Hisar, District Hisar.

Learned counsel for the petitioner submits that the alleged occurrence took place on 01.08.2019 in the jail premises where the petitioner was confined in some other case; that though the petitioner was named in the FIR, yet he has not been attributed any injury on the person of the deceased; that only fist and kick blows on the person of Talvinder and Harjeet, have been attributed to the petitioner; and that the petitioner has been in custody since 17.08.2019. He further submits that as far as other cases registered or pending against the petitioner, are concerned, he has already undergone the sentence in two cases whereas he is facing the trial

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in seven cases. Moreover, co-accused, namely, Ajay @Bittu, Vijay, Lakhvinder Singh @ Lakhu, Krishan @ Boxer, Binder, Ravinder and Sachin have since been granted the concession of regular bail by this Court.

On the other hand, learned State counsel, while opposing the prayer for the grant of bail to the petitioner, submits that Ravinder, who was in custody, was killed and Talwinder and Harjeet had received injuries in a fight taken place in the jail premises as the accused had attacked them with an intention to kill.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 17.08.2019. The petitioner was named in the FIR, but no injury on the person of the deceased, has been attributed to him. Only fist and kick blows on the person of Talvinder and Harjeet, have been attributed to him. As noticed above, the co-accused have already been granted the concession of regular bail. Out of 41 prosecution witnesses, none has been examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping him behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

24.05.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No