

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22618-2021 (O&M)
Date of Decision:- 4.4.2022

Sarun

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Namit Khurana, Advocate and
Mr. Abhinav Kalia, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Jaswinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.68, dated 11.2.2021, Police Station Sadar Yamuna Nagar, District Yamuna Nagar, under Sections 148, 149, 307, 323, 324, 353, 506 IPC.
2. The FIR was lodged at the instance of ASI Gurmej Singh, wherein it has been alleged that on 11.02.2021 while he was present at Behram Chowk, Yamuna Nagar, he received a secret information to the effect that Meer Hassan indulged in smuggling of 'Smack' and that in case a raid is conducted he could be caught red-handed. Pursuant to receipt of said information, a raid was conducted by the police at a

marriage palace in Village Lapara, where they tried to apprehend a boy who was standing near the marriage palace, but the said boy called several persons from the village, who were all armed with sticks and 'gandasis' and they attacked the police party. It is alleged that Sarun inflicted a blow with a 'gandasi' on the head of Akshay, while others also caused injuries to the police officials. It is the case of prosecution that Ikram @ Kala, Najim, Sarun, Katija, Shakina Farjana, Sameena @ Bhokar, Farida, Sani, Mosin and 10-12 other persons had attacked the police party.

3. Learned counsel for the petitioner submits that the petitioner is aged barely 18 years and has been falsely implicated in the present case. Learned counsel submits that although he is attributed a blow with 'gandasi' on the head of Akshay, but the said injury was never declared grievous in nature though the said injury has been opined to be dangerous to life. It has been submitted that the petitioner has a clean record and has been behind bars since the last about one year and since the trial is proceeding at snail's pace, he deserves the concession of bail.
4. On the other hand, learned State counsel while opposing the petition has submitted that since the injury inviting the rigors of Section 307 IPC is attributed to the petitioner, no case for grant of bail is made out. It has however, been informed that as on date only one out of the cited 23 PWs has been examined. Learned State counsel has also informed that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court.

6. Without commenting anything as regards the veracity of the allegations levelled in the FIR, but while noticing that the petitioner is aged 18 years and is not involved in any other case and has already been behind bars for a substantial period of more than 1 year and conclusion of trial is likely to consume time, further detention of the petitioner is not justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.4.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No