

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

CRM-M-22208-2022

Date of Decision:-21.07.2022

VIJAY

... Petitioner

Versus

THE STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Amit Khari, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.72 dated 6.3.2022 registered under Sections 148, 149, 323, 324, 325, 326 & 506 IPC at Police Station Barauda, Gohana District Sonipat.

The counsel for the petitioner contends that as per the allegations appearing on the record, the present petitioner caused injuries on the head of complainant-Vikram Singh with '*Farsa*'. The counsel further contends that at the time of occurrence, fight took place between two families and even the petitioner also sustained injuries as are detailed in MLR Annexure P-3. The counsel for the petitioner further contends that co-accused Babita and Sachin have already been released on regular bail by the Court of Sessions vide orders Annexures P-4 and P-5. The counsel for the petitioner further contends that after the completion of investigation challan has been presented and the petitioner who was arrested on 11.4.2022 is presently lodged in judicial custody. That the weapons used in commission of crime have been recovered.

The State counsel while opposing the bail application has not disputed the fact that the petitioner was arrested on 11.4.2022 and is having no criminal history and that after completion of investigation the police has filed the challan against all the accused persons including the petitioner.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

As per the record, the present petitioner caused injuries on the hand and head of the complainant with sharp edged weapon. One of the injury caused by the petitioner was found to be grievous in nature. The petitioner was arrested on 11.4.2022. The recoveries have already been effected in this case and on completion of investigation the police has presented challan under Sections 323, 325, 326 and 506 read with Section 149 IPC and under Section 148 IPC. All the said offences are triable by the Court of Judicial Magistrate Ist Class.

It will take considerable time for disposal of the trial. Keeping in view facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite 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

21.07.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No