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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.22296 of 2022 (O&M)

Date of decision: 30.05.2022

Ajay

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aakash Juneja, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.684 dated 12.11.2020, for offence punishable under Sections 323, 452, 326, 506, 34 of the Indian Penal Code, 1860 (in short 'IPC') (Section 307 IPC added later) registered at Police Station Shahabad, District Kurukshetra.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of complainant Ram Kumar, it is stated that on 12.11.2020, the accused persons namely Ajay (petitioner herein), his brother Vijay and Satpal, came armed with sword, knife and gandasi and Vijay gave a knife blow on the right hand of Angrej Singh and his hand was chopped off. It is further submitted that the grievous injury is not attributed to the petitioner and the co-accused Vijay was never arrested and has been declared a proclaimed

offender. It is also submitted that the petitioner is in custody for the last 01 year and 05 months and the trial is proceeding at a very slow pace and to show his bona fide, the petitioner is ready to pay Rs.50,000/- to the victim towards the medical expenses.

Counsel for the State on the basis of the Custody Certificate and on instructions from SI Baljit Singh, submits that the victim Angrej Singh and his mother Angoori Devi suffered serious injuries at the hands of the accused persons and as per the MLR, the hand of Angrej Singh was chopped off and later on, a surgery was conducted and though, his hand was attached to the body but he is not in a position to work properly. It is further submitted that after framing of the charge, the case is now fixed for 19.07.2022, before the trial Court and till date, no PW has been examined.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year and 05 months; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and in view of the fact that the main injury is attributed to Vijay, who is a proclaimed offender and the petitioner is ready to pay Rs.50,000/- to the victim towards the medical expenses and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

This will, however, be subject to the condition that the petitioner will hand over a demand draft of Rs.50,000/- to the victim towards the medical expenses, at the time of furnishing bail/surety bonds.

(ARVIND SINGH SANGWAN)
JUDGE

30.05.2022
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No