

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-25099-2022 (O&M)

Date of decision:02.12.2022

Gourav Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Ms. Usha Rani, Advocate for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J. (ORAL).

This is the 2nd petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner pending trial in case FIR No.134, dated 07.04.2020, under Sections 148/149/188/323/324/326/307/506/120-B IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Indri, District Karnal.

I have heard counsel for the parties.

Occurrence is stated to be of 06.04.2020 during the evening hours. Complainant is Dilbag Singh. Two other injured eye witnesses are Sagar as also Ranbir.

Insofar as the present petitioner is concerned, even though he has been specifically named in the FIR but was stated to have been armed with a *danda*. No specific injury stands attributed to him.

The injury on the head of Sagar which had been opined to be dangerous to life is attributed to co-accused, Munish @ Minnu (non-applicant). Injuries on the three fingers of the complainant and which had been severed stand specifically attributed to Pradeep @ Baindu (co-accused).

Present petitioner has been in custody since 11.04.2020. The investigation having been completed, challan stands presented. 18 prosecution witnesses have been cited out of which only PW1 has been partly examined as of date.

It has gone uncontroverted that Aman (co-accused) and against whom there were identical allegations has been granted concession of regular bail by a Coordinate Bench in the light of order dated 16.05.2022 in CRM-M-22163-2021.

In view of the above as also on the ground of parity, present petitioner is held entitled to regular bail.

Petitioner accordingly is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to him not being required in any other case.

It is, however, clarified that nothing stated above in this order shall be construed as an opinion of the merits of the case.

Pending application(s), if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.12.2022
harjeet

(I) Whether speaking/reasoned? Yes/No

(II) Whether reportable? Yes/No