

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

CRM-M-26878-2022

Date of Decision:-11.07.2022

CHANDER PAL ALIAS BITTU AND ANOTHER

... Petitioners

Versus

STATE OF HARYANA

... Respondent

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**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

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Present:- Mr. Parminder Singh, Advocate  
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

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**KARAMJIT SINGH, J. (Oral)**

The petitioners have approached this Court seeking grant of regular bail in a case having FIR No.171 dated 14.4.2022 registered under Sections 148, 149, 323, 324, 326, 452, 506 IPC and Sections 3(1) (R), 3(1) (S), 3(2) (va) of of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Ac, 1989 at Police Station Taraori, District Karnal.

The counsel for the petitioners contends that there are no specific allegations against petitioner No.2-Nanha @ Prahlad, who is in custody since 21.4.2022. The counsel for the petitioners further contends that as per allegations in the FIR, petitioner No.1-Chander Pal @ Bittu

abused the complainant in name of his caste on 13.4.2022, whereas the FIR was registered on the next day. The counsel for the petitioners further contends that even otherwise it is a matter of evidence as to whether petitioner No.1 ever abused the complainant by taking name of his caste. The counsel for the petitioners further contends that after investigation the police has presented challan and co-accused Dixant and Sunil Kumar @ Lakha have already been granted anticipatory bail by the Co-ordinate Bench of this Court vide orders dated 8.7.2022.

The present petition is contested by the State counsel, who submits that as per FIR petitioner No.1 abused the complainant by taking name of his caste on 13.4.2022 and thereafter both the petitioners and their companions caused grievous injuries to the complainant using sharp edged weapons. The State counsel further contends that it is too early to grant bail to the petitioners at this stage when the trial is yet to commence. The fact regarding grant of anticipatory bail to Dixant and Sunil Kumar @ Lakha has not been disputed by the State counsel.

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

Admittedly, the petitioner No.1 is stated to be in custody since 15.4.2022 while petitioner No.2 was arrested on 21.4.2022. After completion of investigation, challan has been presented but trial is yet to begin. No specific injury has been attributed to the petitioners. Co-accused Dixant and Sunil Kumar @ Lakha are already released on anticipatory bail by the Co-ordinate Bench of this Court vide order dated 8.7.2022. It will take time for the trial to culminate, so no fruitful purpose is going to be

served even if the petitioners are kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

11.07.2022  
Gaurav Sorot

( KARAMJIT SINGH )  
JUDGE

Whether reasoned / speaking?      Yes / No

Whether reportable?      Yes / No