

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

CRM-M-26828-2022

Date of Decision:-**11.07.2022**

SUSHIL ALIAS SHILLA AND OTHERS

... Petitioners

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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

Ms. Gaganpreet Kaur, AAG, Haryana.

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 the present petitioners who are in custody since April, 2022. 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 the accused persons caused grievous injuries with sharp edged weapon on the person of the complainant. The State counsel further contends that trial is yet to commence and it is too early to grant bail to the petitioners at this stage. 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 petitioners as well as by the State counsel.

Admittedly, the petitioners are in custody since April, 2022. As per the allegations in the FIR co-accused Bittu abused complainant-Sanjay belonging to Scheduled Caste, in the name of his caste on 13.4.2022 then on 14.4.2022 the petitioners and other accused persons armed with different weapons caused injuries to the complainant.

No specific injury has been attributed to the petitioners. After completion of investigation, the police has presented challan against all the accused. 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