

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

**CRM-M-27864 of 2022
Date of Decision:- 06.07.2022**

Akash

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sanjay Kaushal, Sr. Advocate with
Mr. S.S. Kaushik, Advocate
for the petitioner.

Mr. Naveen K. Sheoran, DAG, Haryana.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioner in case having FIR No.44 dated 12.03.2022 registered under Sections 223/324/34/506 IPC and Section 326 IPC(added later on) and Sections 25/54/59 Arms Act (added later on), Police Station Rajound, District Kaithal.

The counsel for the petitioner contends that the petitioner aged about 20 years, has been falsely implicated in this case and was arrested on 13.04.2022 and is presently lodged in

judicial custody. The counsel further contends that the challan has been presented in the Court by the police, after completion of investigation. The counsel further contends that injured Surender has already been discharged from the hospital as is evident from his discharge summary which is placed on record. The counsel for the petitioner further contends that the petitioner deserves to be released on regular bail.

The present petition has been opposed by the State counsel who submitted that grievous injury attracting offence under Section 326 IPC has been attributed to the petitioner and as such, the petitioner is not entitled to concession of bail at this stage when the trial is yet to commence. However, the State counsel has not refuted the fact regarding custody period of the petitioner and the challan being presented by the investigating agency against the petitioner on completion of investigation.

I have considered the submissions made by counsel for the parties.

As per the allegations appearing on the record, complainant Surender Kumar was attacked by the petitioner and his companions and the petitioner gave knife blows on the head of complainant which resulted in grievous injury. As per the discharge summary of the complainant, he was admitted in a private hospital on 12.03.2022 and was discharged on 15.03.2022.

As has been admitted by the State counsel the petitioner was arrested on 13.04.2022. As per the custody certificate furnished by the State counsel, it appears that the petitioner is not involved in any other criminal case, however, during arguments the State counsel apprised the Court that the petitioner is also involved in another criminal case. On which the counsel for the petitioner clarified that he has already been granted bail in the said criminal case. Admittedly, after the completion of investigation challan has been presented against the petitioner and his co-accused and it will take time for the trial to conclude. So no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

Thus, without commenting on the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

06.07.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No