

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

CRM-M-30368-2022

Date of Decision: July 21, 2022

Karanveer Kumar @ Ranchu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Namit Khurana, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 46, dated 28.02.2021, under Sections 147, 148, 323, 341, 452, 506 and 307 (which was added later on) IPC, registered at Police Station Sadhaura, District Yamunanagar.

Learned counsel for the petitioner argues that the allegation against the petitioner is for inflicting injury with *Danda* upon the victim. Learned counsel submits that the similar allegation is against two accused, i.e. against the petitioner as well as the co-accused, namely, Jai Pal. Learned

counsel further submits that keeping in view the fact that the petitioner is already behind the bars since 10.06.2021; there are total 19 prosecution witnesses to be examined; the complainant as well as the victim have already been examined; and the trial is likely to take some time before it concludes, the petitioner may kindly be granted the concession of regular bail, at this stage.

Notice of motion.

Mr. Kiran Pal Singh, learned Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State and submits that as per allegations recorded in the FIR, the petitioner alongwith one Jai Pal, inflicted the injuries upon the victim, namely, Kiran Pal. The description of the injuries has not been mentioned in the FIR, but as per the MLR, Injury No. 1, which is on the head of the victim, Kiran Pal, is stated to be grievous. Whether the injury, which has been declared grievous in nature, is attributed to the petitioner or the co-accused, Jai Pal, is a matter of evidence, which will come on record during the trial. Learned State counsel, however, concedes the fact that there are 19 prosecution witnesses, out of which only five have been examined and the complainant as well as the victim already stand examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Whether the injury which has been declared lift threatening, is inflicted by the petitioner or the co-accused, is yet to be ascertained and the same can only be proved on the basis of the evidence which will come on

record. As of now, the complainant as well as the victim have already been examined and, hence, question of influencing the witnesses does not arise at this stage. The petitioner is already behind bars since 10.06.2021, fourteen prosecution witnesses are yet to be examined, hence, the trial is likely to take some time before it conclude. No justifiable purpose will be served in keeping the petitioner behind the bars, especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioner is directed to be released on regular bail in this case, subject to furnishing of bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

July 21, 2022

Pk Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**