

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

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CRM-M-34646-2021

Date of Decision: 15.02.2022

Raj Kumar @ Raja

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Aman Pal, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.120 dated 15.09.2020 at Police Station Alewa, District Jind, under Sections 147/148/149/323/450/302 IPC.
2. The FIR was lodged at the instance of Rohtash, wherein it has been broadly alleged that the accused, namely, Krishan, Raj Kumar, Kuldeep, Satish, Rajesh, Bindra & Anil, who were armed with sticks (*lathi*) and *jailly*, had inflicted injuries to the complainant as well as his brother Karan and Subhash. As a result of injuries, Karan is stated to have died while the other two sustained injuries.
3. Learned counsel for the petitioner has submitted that even as per the allegations leveled in the FIR, the petitioner is not attributed any injury to the deceased and is attributed one injury to Subhash

only. It has further been submitted that in any case, the complainant, namely, Rohtash as well as Subhash, to whom the petitioner is attributed injury, had already been examined before the trial Court and both of them turned hostile.

4. On the other hand, learned State counsel has not disputed the aforesaid fact that the complainant i.e. brother of the deceased as well as Subhash, to whom the petitioner is alleged to have inflicted an injury, have both turned hostile. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 1 year & 5 months and that he is not involved in any other case.
5. In view of the aforestated position, this Court finds that since the material eye-witnesses including one to whom the petitioner is alleged to have inflicted injury, have turned hostile, further detention of the petitioner will not be justified, as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

15.02.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**