

**CRM-M-38140-2021**

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

**CRM-M-38140-2021**

**Date of decision: 27.04.2022**

Shripal

...Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. R.N.Lohan, Advocate and  
Mr. Satyawan Singh Nain, Advocate,  
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

**HARNARESH SINGH GILL, J. (ORAL)**

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.399 dated 18.08.2020, registered under Sections 148, 149, 323 and 506 IPC and Sections 325 and 307 IPC (added later on), at Police Station Sadar Sonipat.

Learned counsel for the petitioner contends that though the injury allegedly attributed to the petitioner on the head of the complainant, with a *lathi*, has been declared dangerous to life, but the fact remains that on the complaint of the present petitioner, FIR No.378 dated 07.08.2020, under Sections 148, 149, 323, 452 and 506 IPC, Police Station Sadar Sonipat, was registered against the complainant party.

Learned counsel further contends that the alleged occurrence took place on 04.08.2020, but the present FIR was registered on 18.08.2020; that all the co-accused have already been released on bail, and that it is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one. Learned counsel further contends

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that the prosecution witnesses are yet to be examined, and that the petitioner has already undergone a period of more than 01 year.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, submits that the petitioner had caused injury on the head of the complainant.

I have heard the learned counsel for the parties.

The alleged occurrence took place on 04.08.2020, but the present FIR was registered on 18.08.2020. Moreover, on the complaint of the petitioner, FIR No.378 dated 07.08.2020, under Sections 148, 149, 323, 452 and 506 IPC, Police Station Sadar Sonipat, has also been registered against the complainant party. It is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one.

The petitioner has already undergone more than 01 year. Out of 19 prosecution witnesses, 06 witnesses have been examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**27.04.2022**

parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No