

213+214

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 22.11.2022

1. CRM-M-47177-2022 (O&M)

Akhilesh @ Akhilesh Shakya

.. Petitioner

Vs.

State of Haryana

..Respondent

AND

2. CRM-M-47911-2022 (O&M)

Sandeep @ Sandeep Kumar @ Pal

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parveen Kumar, Advocate for the petitioner
in CRM-M-47177-2022.

Mr. Vishwajeet, Advocate for the petitioner
in CRM-M-47911-2022.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed these separate petitions for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.615 dated 04.10.2021 registered under Sections 148, 149, 307 and 379-B IPC (Sections 323, and 324 IPC, 1860 added later on) at Police Station Krishna Gate Thanesar, District Kurukshetra. The petitioners are in custody since their arrest on 14.10.2021.

Kurukshetra in the order dated 21.03.2022 are as under:

“Now, as per the contents of the FIR, on the intervening night of 2/3.10.2021, the injured Somvir was attacked by a group of assailants with sharp edged weapons and resultantly, the injured received injuries on his head, stomach and knees and the assailants fled away from the spot after snatching the mobile phone of Somvir.”

Learned counsel for the petitioners have argued that out of total five accused, two have been granted the concession of regular bail by this Court and injured Somvir has been examined as prosecution witness, but still six witnesses remain to be examined and the trial would consume considerable time to conclude. He prays for bail.

Learned State counsel assisted by ASI Sunil Kumar has argued that accused-Sandeep @ Sandeep Kumar @ Pal and Akhilesh @ Akhilesh Shakya participated in the crime, which resulted in four injuries to the injured Somvir. According to him, prior to this occurrence, injured Somvir had tried to molest the wife of Akhilesh @ Akhilesh Shakya and in order to take revenge, they caused this occurrence. However, it is not disputed that the material witnesses including injured have been examined.

After hearing the learned counsel for the parties and considering the above background, particularly the custodial period of the petitioners and the fact that their co-accused have been released on bail, this Court is of the opinion that their further detention behind the bars may not be necessary for any useful purpose, as the conclusion of the trial would consume considerable time.

Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

22.11.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No