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

**CRM-M-53195-2021 (O&M)**

**Date of decision: 07.02.2022**

**AMAN**

**...Petitioner**

**Versus**

**STATE OF HARYANA**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Vikram Jeet Singh, Advocate  
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

(Through Video Conferencing)

**ARVIND SINGH SANGWAN, J. (Oral)**

This is the second petition which has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0450 dated 29.07.2020, registered under Sections 307, 323, 325, 506 and 34 of the IPC at Police Station Assandh, District Karnal, Haryana.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant-Satpal, who is a labourer having three sons, who are also doing the labour work. On 28.07.2020, two-three boys came on the motorcycle with muffled faces and called his son namely Pardeep and inflicted injuries with *dandas* and other weapons. When the complainant went for his help, all the accused ran away on their motorcycle. Then, victim Pardeep was taken to the hospital where he was referred to Sector-32, Chandigarh.

Learned counsel for the petitioner further submits that the statement of the victim was recorded on 04.08.2020, and the petitioner was named thereafter.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody for the last about 01 year, 02 months and 01 day, investigation is complete and it will take some time in conclusion of the trial.

Learned counsel for the petitioner further submits that the petitioner without prejudice to his right of defence is ready to pay Rs.30,000/- towards the medical expenses incurred by the victim.

Learned State counsel submits that as per the MLR of the victim, injury No.1, which is a depressed frontal bone fracture on the head is attributed to the petitioner and the same was declared dangerous to life.

Learned State counsel further submits that after the arrest of another accused, the supplementary challan was presented and the case is now fixed for framing of charge. However, as per the custody certificate filed by learned State counsel, petitioner is in judicial custody for the last about 01 year, 02 months and 01 day and is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case and considering the fact that petitioner is in long judicial custody of more than 01 year and petitioner was nominated after three days as he was not declared fit by the doctor to make the statement and also in view of the fact that the petitioner has volunteered to pay Rs.30,000/- for the expenditure incurred for the treatment of the victim as well as the stage of the trial, the present petition is allowed. The petitioner is ordered to be released on regular bail

on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, it will be subject to a condition that the petitioner will handover a Demand Draft of Rs.30,000/- favouring the victim namely Pardeep to the Illaqa Magistrate/Duty Magistrate/Chief Judicial Magistrate, Karnal, who will further handover the same to the victim-Pardeep.

07.02.2022  
Chetan Thakur

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*