

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No212)

CRM-M No. 9606 of 2023

Date of decision : 15.05.2023

Deepak @ Toni

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

(1) The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.524 dated 05.09.2022 registered under Sections 307, 323, 325, 452, 506 and 34 IPC at Police Station Adampur, District Hisar.

(2) The petitioner, along with his co-accused, is being prosecuted for having attempted to murder Parmod and Ankit.

(3) Learned counsel appearing for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner is in custody since 29.09.2022; both the alleged injured namely Parmod and Ankit have since been examined in the petitioner's trial; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the petitioner is not the one who is alleged to have inflicted dangerous to life injuries on either Parmod or Ankit; in fact no injury is attributed to the

petitioner and that since 08 prosecution witnesses still remain to be examined in the petitioner's trial, the same will take a long time to conclude.

(4) Learned State counsel opposes the petitioner's plea of bail by submitting that the petitioner along with co-accused attempted to murder Parmod and Ankit.

(5) Learned counsel for the parties have been heard and with their able assistance the records of the case have also been perused.

(6) After considering the afore rival submissions and in particular because the petitioner is in custody since 29.09.2022; both the alleged injured namely Parmod and Ankit have since been examined in the petitioner's trial; the petitioner is not attributed any specific injury and that since 08 witnesses of the prosecution still remain to be examined in the petitioner's trial the same is likely to take a long time to conclude, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Hisar the petitioner is directed to be released on bail.

(7) It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

15.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No