

CRM-M-21178-2023

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

CRM-M-21178-2023

Date of decision: 03.05.2023

Ankit

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ajay Kripal Singh, Advocate,
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition (the first one having been dismissed as withdrawn on 20.07.2022), the petitioner seeks regular bail in case FIR No.207 dated 15.06.2021, registered at Police Station Israna, District Panipat, under Sections 307, 323, 324, 325 and 34 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR; that however in the statements of Parvesh and Rampal, recorded under Section 161 Cr.P.C., injury with a *gandasi* blow on the person of Rampal, has been attributed to the petitioner; that injury on the person of Rampal, which was declared dangerous to life, has been attributed to co-accused, Satpal; that the co-accused, Satpal and Ajit have since been granted the concession of regular bail by this Court and the Court of Session, respectively.

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On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the occurrence and a specific injury on the person of Rampal has been attributed to the petitioner. She further submits that the material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

Though in their statements under Section 161 Cr.P.C., witnesses, namely, Parvesh and Rampal have attributed a specific injury to the petitioner, yet the fact remains that injury on the person of Rampal, which was declared dangerous to life, has been attributed to co-accused, Satpal. As stated above, the co-accused, namely, Satpal and Ajit have since been granted the concession of regular bail.

The petitioner has been in custody since 28.07.2021. Out of 16 prosecution witnesses, only 02 witnesses have been examined so far. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. So far as other case registered or pending against the petitioner, is concerned, he has been released on bail therein.

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.

03.05.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No