

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23608-2023
Date of Decision:-26.05.2023

ABHISHEK ALIAS TARASPAL

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Rajesh Duhan, Advocate
for the petitioner.

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KARAMJIT SINGH, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.105 dated 29.5.2020 registered under Sections 148, 149, 307, 323, 325, 201 IPC and Section 25 of Arms Act at Police Station Sanoli, District Panipat.
2. The allegations in nut-shell are that at the time of occurrence are that the petitioner along with other accused persons attacked complainant and other persons and caused injuries to them.
3. The counsel for the petitioner submits that no specific injury has been attributed to the petitioner, who is stated to be member of unlawful assembly. The counsel for the petitioner further submits that the

petitioner has been falsely implicated in the present case and actually free fight took place between two groups with regard to land dispute and that the petitioner, who was arrested by the police is now in judicial custody and it will take time for the trial to conclude. So prayer is made that the petitioner be released on bail.

3. Notice of motion.
4. On the asking of the Court, Mr. Vishal Kashyap, DAG, accepts notice on behalf of State of Haryana and furnished custody certificate, which is taken on record and while contesting the present petition submits that the petitioner was member of unlawful assembly, which attacked the opposite party. The State counsel further apprised the Court that the petitioner has been named in the FIR. However, the State counsel has not disputed the fact that the petitioner who was arrested on 2.4.2023 is presently lodged in judicial custody and no specific injury is attributed to him and that during investigation, no weapon or incriminating article was recovered at the instance of the petitioner.
5. I have considered the submissions made by counsel for the parties.
6. In the instant case, no specific injury has been attributed to the petitioner, who is presently lodged in judicial custody and during investigation, no weapon was recovered at the instance of the petitioner and it will take considerable time for the trial to terminate. Similarly situated co-accused Sonu is enlarged on bail vide order dated 27.2.2023 (Annexure P-6), passed by this Court. In the given

circumstances, no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.

7. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

26.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No