

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24905-2023
Date of Decision:-22.05.2023

CHANDAN SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Partap Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

1. Prayer is for grant of regular bail in case having FIR No.121 dated 13.03.2023 registered under Sections 148, 149, 323, 341, 365, 506 IPC and Section 25 of Arms Act (Sections 367 and 120- IPC added later on Section 25 of Arms Act was deleted later on) at Police Station Bhiwani City, District Bhiwani.
2. As per the allegations recorded in the FIR the petitioner, one Kaku accompanied by companions all armed with wooden sticks and axes caught complainant Sanjay and caused injuries to him. As per allegations at the time of occurrence, petitioner was armed with axe

and he caused injuries to the complainant with the help of said weapon. During investigation, petitioner was arrested and one wooden *danda* is stated to have recovered from his possession.

3. The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case. The counsel for the petitioner while referring to MLR of the complainant submits that all the injuries are recorded to be caused with blunt weapon and thus falsifies the case of the prosecution to the effect that petitioner caused injuries with the sharp edged weapon i.e. axe. The counsel for the petitioner further submits that no injury was found on the vital part of the body of the complainant. The counsel for the petitioner further submits that even as per police, only one wooden *danda* is stated to be recovered from the possession of the petitioner, who is presently lodged in judicial custody and after completion of investigation challan has been presented. So prayer is made that the petitioner be released on regular bail.
4. The instant petition is resisted by the State counsel, who submits that there are specific allegations against the petitioner, who attacked complainant and caused injuries to him. However, the State counsel on instructions from HC Ritu Bala has not disputed the fact that as per medico legal report all the injuries are reported to be caused with blunt weapon on the person of complainant and further no injury is found on the vital part of the body of complainant and that after completion of investigation, challan stands presented but charges are yet to be framed.

5. I have considered the submissions made by counsel for the parties.
6. In the given circumstances, no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period. 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.

22.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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