

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216 CRM-M-26528-2022 (O&M)
Date of decision: 02.11.2023

Sunny ...Petitioner
Versus
State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Sunil Saharan, Advocate for the petitioner.
Ms. Ambika Sood, Addl. A.G. Haryana.

FIR No.	Dated	Section/s	Police Station
202	07.06.2021	302, 120-B, 506 and 34 IPC	Civil Lines, Hisar

VIKAS SURI, J.

1. The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above-captioned case.
2. Learned counsel for the petitioner would contend that the above captioned FIR has been got lodged by Ankush, brother of the deceased, with an allegation that the petitioner herein had inflicted injuries upon his brother. It has been argued that the cause for inflicting

injuries was that 5/6 days before the occurrence, deceased had quarreled with his co-accused Vijay @ Dhobi and Raju @ Laddu on 06.06.2021 and he had inflicted injuries to the deceased. Learned counsel for the petitioner has further argued that petitioner is innocent and has been falsely implicated in the present case. No specific injury has been attributed to him and the injuries caused with sharp edged weapon i.e. knife has been attributed to co-accused Vikas @ Michu from whom the knife has been recovered. The petitioner is in custody since 09.06.2021; investigation is complete; challan stands presented.

3. *Per contra*, learned State counsel has filed the custody certificate of the petitioner dated 31.10.2023, which is taken on record.

4. Learned State counsel has opposed the present petition by submitting that petitioner in connivance with co-accused has committed grave offence, therefore, he is not entitled for the relief as prayed for.

5. I have heard learned counsel for the parties and considered the rival contentions.

6. As per status report dated 07.01.2023 filed on behalf of the State, challan was presented on 11.08.2021; charges were framed on 04.10.2021; out of total 31 prosecution witnesses cited, only 06 PWs have been examined so far. Keeping in view the fact that petitioner is behind bars since 09.06.2021; he is not involved in any other FIR and the stage of trial, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on his furnishing bail-bond and surety

to the satisfaction of the Area Magistrate/Trial Court/Duty Magistrate concerned.

7. It is, however, made clear that the petitioner shall not influence the trial in any manner directly or indirectly and shall not leave the country without prior permission of the trial Court.

8. The observations made herein-above shall not be construed as an expression of opinion on the merits of the case.

November 02, 2023
sumit.k

(VIKAS SURI)
JUDGE

Whether speaking/reasoned :	Yes / No
Whether Reportable :	Yes / No