

106+203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:081014
CRM-25623-2023 in/and
CRM-M-27558-2023
Date of Decision: June 02, 2023

Surajmal @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sandeep Saini, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

CRM-25623-2023

This is an application under Section 482 Cr.P.C. to place on record Annexure P-4.

Allowed.

Annexure P-4 is taken on record.

CRM-M-27558-2023

Petitioner is praying for regular bail in case FIR No.410, dated 06.12.2022, registered at Police Station Safidon Sadar, District Jind, under Sections 323, 341, 506, 34 of IPC (Section 307 IPC added later on).

FIR was lodged on the complaint of Narender son of Sube Singh Bairagi, as per which on 03.12.2022, he was waylaid by Abhishek @ Bhupinder and Surajmal @ Kala and one other young man, who caused injuries to him. Surajmal @ Kala (petitioner) is attributed to have given a javelin blow on the head of the complainant. During investigation, Abhishek @ Bhupinder and Akash were found to be innocent. Challan was filed only against petitioner Surajmal @ Kala.

It is contended by learned counsel for the petitioner that he has been falsely implicated; that complainant Narender examined during

trial, has not supported the prosecution version. Said Narender had also given affidavit (Annexure P-2), as per which matter has been mutually compromised.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent-State.

As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 4 months and 8 days having no criminal antecedent.

Annexure P-4 is statement made by complainant Narender during trial of the case, in which he gave a clean chit to the petitioner and thus did not support the prosecution case.

Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petitioner is admitted to regular bail and he is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned.

Allowed.

June 02, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No