

CRM-M-29685-2023

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218 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-29685-2023  
Date of Decision: 17.08.2023

Aman

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Partap Singh, Advocate, and  
Mr. Gourav Jangra, Advocate,  
for the petitioner.

Mr. K.K.Chahal, Additional Advocate General, Haryana,  
for the respondent.

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**RAJBIR SEHRAWAT, J. (ORAL)**

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.48 dated 04.03.2023 registered under Sections 148, 149, 279, 323, 337, 427 and 506 of the Indian Penal Code, 1860, (later on, Section 307 IPC was added and Sections 279 and 337 IPC were deleted), at Police Station Nigdhu Karnal, District Karnal.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the version of the police, initially it was registered as a case of road side accident. However, subsequently, Section 307 IPC was added alleging that the petitioner had caused injury to the complainant with the iron rod. However, there is no head injury, as such. Only an abrasion of a small size is reported,

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which could be on account of hitting the head of the complainant against the road in the alleged road accident, as well. There is no other case against the petitioner. The petitioner is in custody since 20.03.2023. The investigation of the case is already complete. Therefore, the petitioner is not required for any recovery or discovery purposes. Hence, the petitioner deserves to be granted concession of bail pending trial.

On the other hand, learned counsel for the State has submitted that the petitioner has committed a deliberate crime by causing injury to the complainant. The injury is corroborated by the medical opinion, which has declared the injury to be dangerous to life. However, it is not disputed that the said injury is only an abrasion of a small size and that there is no other case against the petitioner. It is also not disputed that the petitioner is in custody since 20.03.2023.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)  
JUDGE

17.08.2023  
adhikari

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No