

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

205

CRM-M-31500-2022 (O&M)

Date of decision: 24.01.2023

Deepak

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Naveen Mandhan, Advocate for the petitioner.

Mr. R.S. Budhwar, Addl. AG Haryana.

Mr. G.S. Sawhney, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.228 dated 28.05.2020, registered at Police Station Gharaunda, Karnal, under Sections 148, 149, 302 and 324 IPC.

Learned counsel for the petitioner contends that as per the prosecution version, the petitioner had given a knife blow on the person of Deepak, brother-in-law of the complainant, above the knee; that the petitioner has been in custody since 04.06.2020; that out of 24 prosecution witness, only 01 has been examined so far; that no injury on the person of the deceased has been attributed to the petitioner; that the recovery has already been effected; that there is no other pending or decided case against the petitioner and that co-accused, namely, Sandeep Kumar and Rajbir have since been granted the concession of regular bail by this Court, vide orders dated 26.02.2021 and 06.10.2021, respectively.

Learned State counsel and learned counsel for the complainant, while opposing the prayer for bail, submit that the petitioner has actively participated in the occurrence. The motor-cycle and knife were recovered from the petitioner. However, he does not dispute the custody period of the petitioner. He submits that out of 24 prosecution witnesses, 01 has been examined.

I have heard the learned counsel for the parties and have also gone through the case file.

The petitioner has been in custody since 04.06.2020. The injury attributed to the petitioner is above the knee of Deepak, brother-in-law of the complainant. No injury on the person of the deceased has been attributed to the petitioner. Co-accused, namely, Sandeep Kumar and Rajbir have already been enlarged on regular bail. Recovery has already been effected. Moreover, there is no other case against the petitioner. Remaining 23 prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

24.01.2023
Mangal Singh

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