

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

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CRM-M-41015-2022
Date of decision : 07.02.2023

Sonu

Petitioner

V/S

State of Haryana

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Arvind Bansal, Advocate
for the petitioner.

Mr. Munish Sharma, Asstt. A.G., Haryana
for the respondent-State.

Mr. Sumit Kumar, Advocate
for the complainant.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.73 dated 14.03.2022 registered under Sections 323, 324, 326, 307, 120-B and 34 of the Indian Penal Code, 1860 at Police Station Kalayat, District Kaithal.

Learned counsel for the complainant has filed his power of attorney in the Court today which is taken on record.

The above-said FIR was registered on a complaint made by complainant-Vikas alleging that on 14.03.2022 he along with Balinder had gone to library. At about 01:00 p.m., after taking lunch, when they gone towards library, 03 unknown young persons, 02 of them having needle and 01 was having iron punch in their hand, came from back side of Balinder and inflicted injuries to him with needle and punch on

forehead, abdomen, back and face of Balinder. When the people gathered there, the accused fled from the spot.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. The petitioner was not apprehended on the spot and nothing has been recovered from him. Initially, the case was registered against 03 unknown young boys on the statement of Vikas and later on during investigation on the basis of statement of injured-Balinder Singh, the police involved the petitioner and 04 other accused. The matter has been compromised between the parties. The petitioner is not involved in any other case. The petitioner is in custody since 02.04.2022. Challan has been presented in the trial Court and charges are yet to be framed. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

On the other hand learned State counsel has opposed the present petition on the ground that the petitioner along with his co-accused had caused severe injuries on the head as well as abdomen of injured-Balinder.

Learned counsel for the complainant has admitted the factum of compromise and submits that the complainant has no objection if the petitioner has been released on regular bail.

I have heard learned counsel for the parties and gone through the paper-book.

Keeping in view the facts and circumstances of the case, custody period of the petitioner, the facts that the petitioner is not

involved in any other case, the matter has been compromised between the parties and also the fact that the trial is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Accordingly, the present petition is allowed and the petitioner-Sonu is ordered to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

07.02.2023

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(ASHOK KUMAR VERMA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No