

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

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**CRM-35717-2023 in/and  
CRM-M-42326-2023  
Reserved on: 11.09.2023  
Pronounced on: 13.09.2023**

**Vikram**

. . . . Petitioner

**Vs.**

State of Haryana

. . . . Respondent

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**CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA**

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Present: - Mr. Sunil Chaudhary, Advocate, for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

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**DEEPAK GUPTA, J.**

**CRM-35717-2023**

Application is allowed as prayed for.

**CRM-M-42326-2023**

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.29 dated 20.01.2023 registered at Police Station Tosham, District Bhiwani, Haryana under Sections 302, 323, 324, 506, 147, 148 and 149 IPC (Sections 302 and 148 IPC were added later on).

2. FIR was lodged on the statement of Avinash, as per which on 19.01.2023 at about 7.30 pm, he and his younger brother namely, Laxman (deceased) had gone to the Panchayat shops, when Karam Chand, Ravi, Ajay @ Raman, Vikram (petitioner) and Vinod, started abusing them. On

protest, Karam Chand and Ajay @ Raman caught hold of Laxman and then Ravi gave a *khanjar* blow in the stomach of Laxman. Further allegation is that when complainant intervened, Vikram-petitioner and Vinod gave slaps to him, whereas Karam Chand gave kick blows. On raising alarm, the assailants fled away. FIR was registered. As Laxman died during treatment on 21.01.2023, section 302 & 148 IPC were added.

3. It is contended by ld. counsel that petitioner has been falsely implicated; that there is no attribution to the petitioner to have caused any injury to deceased-Laxman and that only attribution to him is to have slapped complainant-Avinash. It is also submitted that petitioner is in custody ever since the date of his arrest on 31.01.2023; and that trial may take time to conclude and so, he be allowed regular bail.

4. Ld. State counsel opposed the bail petition by pointing out towards the gravity of offence. However, it is not disputed that as per the allegations contained in the FIR based on the statement of injured complainant-Avinash, deceased-Laxman was given only one stab injury with the *khanjar*, which is attributed to co-accused Ravi. No injury is attributed to have been caused to the deceased on the part of the petitioner. As per the FIR, petitioner had only given slaps to complainant-Avinash. As per, custody certificate, petitioner is in custody since 31.01.2023 i.e. for the last more than 7 months. He has no criminal antecedents. Trial may take time to conclude.

5. Having regard to all the aforesaid facts and circumstances, particularly role attributed to the petitioner, but without commenting anything further on merits of the case, petitioner is admitted to regular bail

on his furnishing requisite bail bonds and surety bonds to the satisfaction of Ld. trial Court/Duty Magistrate concerned.

Allowed.

(DEEPAK GUPTA)  
JUDGE

13.09.2023

*Vivek*

1. Whether speaking/reasoned?

Yes/No
2. Whether reportable?

Yes/No