

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

CRM-M-45883-2022
Date of Decision:-**13.02.2023**

RAJ KUMAR

... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Akshay , Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.223 dated 29.5.2022 registered under Sections 186, 307, 353, 34 IPC and later on Section 333 IPC added at Police Station Kherki Daula, District Gurugram.

As per the allegations recorded in the FIR the petitioner while driving Innova car was asked to stop the same by the police officials but he hit the said car against ASI Sunder Singh, who fell on its bonnet and then car dragged him to certain distance and thereafter he fell and as a result of which, ASI Sunder Singh received injuries.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case at the instance of the police officials and no such incident as has been reported in the FIR has taken place and the petitioner is in custody since 30.5.2022 and that trial has commenced and it will take considerable time for the trial to conclude and prayed for concession of bail.

The instant petition is resisted by the State counsel, who on instructions from ASI Karambir submits that the petitioner intentionally caused injuries to complainant-ASI Sunder Singh by ramming his Innova car against him. However, the State counsel has not disputed the fact that the petitioner is in custody since last 8 months and the trial is at its initial stage as till date 4 witnesses have been examined on behalf of the prosecution.

I have considered the submissions made by counsel for the parties.

The complainant in this case is police official, who as per the allegations mentioned in the FIR sustained injuries as the petitioner stuck Innova car against him while the complainant was on official duty and asked the petitioner to stop his car.

As per the custody certificate furnished by the State counsel the petitioner is in custody for the last 8 months and is having no criminal history. There is no apprehension that if released on bail the petitioner is going to influence the complainant as all the material witnesses in this case are police officials. Further it will take time for the trial to conclude, so no

purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

13.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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