

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

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CRM-M-50808-2023

Decided on : December 11, 2023

RAJ KUMAR

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr.Sanyam Khetarpal, Advocate
for the petitioner.

Ms. Harsh Rekha Kapoor, AAG, Haryana.

NAMIT KUMAR, J. (Oral)

1. By way of filing the instant petition under Section 439 of Cr.P.C. , the petitioner has approached this Court seeking grant of regular bail in case F.I.R. No.241 dated 27.04.2022, under Sections 307, 323, 324, 506 of IPC (Sections 323 & 506 deleted later on), registered at Police Station Suraj Kund, District Faridabad.

2. As per the FIR, the present case was registered on complaint of Aamir son of Sh. Ali Hassan, wherein he has alleged that he works in Yash Plastic Company, Jamai Colony as helper. On 25.04.2022, when he was working in the said company, one Bhola and Raj Kumar who also work there, were arguing with each other and while he made Raj Kumar to understand and the complainant pushed him lightly, upon which Raj Kumar inflicted knife blow in his stomach. He was saved by the workers working in the company. He was admitted in QRG Hospital, Sector 16, Faridabad. On the basis of the statement, the FIR in question was registered and during the investigation, opinion of the doctor was also sought and the injury on the person of injured was declared dangerous to life by the doctor. Accused - Raj Kumar was arrested on 27.4.2022, who suffered his disclosure statement and got recovered the knife used in the commission of offence, however, during the course of investigation CCTV footage was also taken into police possession.

3. Learned counsel for the petitioner *inter alia* submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that petitioner is in custody since 27.04.2022 and not involved in any other case. He further submits that investigation in the present case is complete; *Challan* has been presented; charges have been framed and there are total 15 prosecution witnesses and the complainant has already been examined, who has not supported the case of the prosecution and has been declared hostile. He further submits that trial may take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner further behind bars.

4. *Per contra*, learned State counsel, while filing status report dated 01.12.2023 and placing on record the custody certificate, opposes the prayer for grant of regular bail to the petitioner. However, he could not dispute that the petitioner is not involved in any other case; investigation in the present case is complete; *Challan* has been presented; charges have been framed and there are total 15 prosecution witnesses and the complainant has already been examined, who has not supported the case of the prosecution and has been declared hostile.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the custody of the petitioner, which is more than 01 year and 07 months (approx.); investigation is complete; *Challan* has been presented; he is not involved in any other case; charges have been framed and there are total 15 prosecution witnesses and the complainant has already been examined, who has not supported the case of the prosecution and has been declared hostile and trial is likely to take a considerable time, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

7. The petition stands disposed off accordingly.

December 11, 2023

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**(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned : ***Yes/No***
Whether reportable : ***Yes/No***