

CRM-M-54462-2022
Decided on : 23.01.2023

AKASH ALIAS AKSHAY

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent Mr. Anshuman Dalal, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

The petitioner is seeking the concession of regular bail in FIR No.472 dated 323, 324, 341, 506 and 34 IPC (Section 307 IPC added later) registered at Police Station Purani Sabzi Mandi Rohtak, Haryana.

Learned counsel for the petitioner submits that the delay of more than 12 days in the lodging of the FIR lends credence to the false implication of the petitioner. He submits that the petitioner has now been in custody since 24.11.2021 and there is no likelihood of the trial concluding in the near future. He further submits that in the circumstances, further incarceration of the petitioner would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Ashok submits that the petitioner is a history-sheeter as he is involved in 10 other criminal cases and most of them are of similar nature. He has further submitted that the petitioner is attributed injuries with a *Sua* on the chest, abdomen and lower back of the injured out of which the injuries on the abdomen were

declared to be dangerous to life.

Learned State counsel on further instructions submits that only 03 out of 14 prosecution witnesses remain to be examined and hence, the trial shall not take much time to conclude.

I have heard learned counsel for the parties and perused the relevant material on record.

Prima facie there are serious and specific allegations against the petitioner of having inflicted as many as 04 injuries including 02 injuries on the abdomen of the injured which were declared to be dangerous to life. Still further, since only 03 prosecution witnesses remain to be examined, the trial shall not take much time to conclude. This Court in the afore-mentioned circumstances does not deem it fit to grant the concession of bail to the petitioner. Accordingly, the instant petition is dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

23rd January, 2023
Sapna

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