

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

**CRM-M-57928 of 2022
Date of Decision:- 27.02.2023**

Sonu

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Rahul Jaswal, Advocate
for the petitioner.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for regular bail to the petitioner in case having FIR No.105 dated 29.05.2020 registered under Sections 148, 149, 307, 323 of IPC and 25 & 54 of Arms Act, Police Station Sanoli, District Panipat and offence under Section 325 & 201 of IPC added later on.

Notice.

On asking of the Court, Ms. Harpreet Kaur, DAG, Haryana accepts notice on behalf of the State.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is in custody since 8.5.2022. The counsel for the petitioner further submits that no specific injury has been attributed to the petitioner. The counsel for the petitioner further submits that during investigation no incriminating article was recovered from the possession of the petitioner and that co-accused Rampal from whom the police recovered wooden danda has already been granted concession of regular bail vide order dated 10.11.2022, Annexure P-4. So the prayer is made that the petitioner be also released on regular bail.

The present petition is resisted by the State counsel who submits that the petitioner has been named in the FIR and he along with other accused persons caused injuries to Shiv Charan and Mahipal and injury on the left side head of Shiv Charan was found to be dangerous to life. However, on instructions from ASI Gorav Singh has not disputed the fact that no specific injury is attributed to the petitioner and that the petitioner is in custody since 8.5.2022 and no recovery has been effected from the petitioner. The State counsel has apprised this Court that after conclusion of investigation, challan has been presented and charges are framed but the trial is at its initial stage.

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

In the present case no specific injury has been attributed to the petitioner who is in custody since 8.5.2022 and during investigation no weapon was recovered at the instance of the petitioner and after completion of investigation police has presented the challan but it will take considerable time for the trial to conclude. Further similarly situated co-accused Rampal from whom police recovered 'danda' is already given benefit of regular bail vide order Annexure P-4.

In the given circumstances, no purpose is going to be served by keeping the petitioner behind bars for any longer period.

In view of the above, without commenting on the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on bail subject to furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

27.02.2023
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No