

2023:PHHC: 145837

239 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-56410-2023 (O&M)

Date of decision: 16.11.2023

SANDEEP

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vishal Singh, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.127 dated 07.04.2023 under Sections 148, 149, 323, 324, 506, 201, 308, 307 IPC and Section 25 of Arms Act, 1959 (offence under Section 307, 325 and 201 IPC and 25 of Arms Act, 1959 were added later on) registered at Police Station Model Town, District Panipat.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was neither named in the FIR nor has any specific role been attributed to him in the occurrence in question. However, he came to be nominated as an accused in a supplementary statement recorded after 4 days of the occurrence in question and even therein the only role attributed to him was of having inflicted leg and fist blows on the person of the injured.

3. Learned counsel further submits that it is a matter of record that injury, which was declared dangerous to life, had been attributed to co-accused Daulat, who was armed with a sword.

4. Learned counsel submits that the investigation of the case is complete

and challan stands presented. However, there is no likelihood of the trial concluding in the near future as charges have not yet been framed, coupled with the fact that as many as 13 prosecution witnesses have been cited.

5. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not been able to dispute the factual aspect of the role attributed to the petitioner in the crime in question and also the factum of the petitioner having been named in the supplementary statement by the complainant.

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

7. The investigation of the case in hand is complete, the trial would take considerable time to conclude, as charges are likely to be framed in the next date of hearing.

8. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

9. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

10. All other miscellaneous applications, if any, also stands disposed of, accordingly.

16.11.2023

manoj

(MANJARI NEHRU KAUL)

JUDGE

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