

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1.

CRM-M-60694-2023
Date of Decision:-08.12.2023
- SAHIL SAINI

... Petitioner(s)
- Versus
- STATE OF HARYANA

... Respondent(s)
2.

CRM-M-60752-2023
- GOBIND

... Petitioner(s)
- Versus
- STATE OF HARYANA

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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Present:- Mr. Sandeep Saini, Advocate
for the petitioner(s).

Mr. Vijesh Sharma, Addl. A.G., Haryana.

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JASGURPREET SINGH PURI, J. (Oral)

1. Both the petitions are taken up together for final disposal with the consent of learned counsel for the parties since both the petitions arise out of the same FIR and the prayer in both the cases is for the grant of regular bail.

2. Both the petitions have been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioners in FIR No.319 dated 15.10.2021, under Sections 148, 149, 323, 324, 307, 506 IPC, registered at Police Station Thanesar City District Kurukshetra.
3. Learned counsel for the petitioners has submitted that the petitioners are in custody for about 2 years and the allegations against the petitioners were that they have caused injuries to co-prisoners in jail while they were in custody in some other case. The learned counsel for the petitioners submitted that 8 prosecution witnesses have already been examined out of total cited 19 prosecutions witnesses and the complainant, doctor, and all the material witnesses have been examined. The counsel for the petitioners further submitted that the injuries attributed to the petitioners are simple in nature and the other similarly situated co-accused namely Ritik @ Rabin and Ajay Kumar have already been granted concession of regular bail vide order dated 21.11.2023 (Annexure P-7) and both the present petitioners are at parity with the aforesaid co-accused and therefore prayed for considering the petitioners for grant of regular bail.
4. On the other hand, learned State counsel has not disputed the custody of the petitioners and has also not disputed parity of the petitioners with the aforesaid co-accused.
5. I have heard the learned counsel for the parties.

6. Both the petitioners are stated to be in custody for about 2 years. As per the counsel for the petitioners, material witnesses have already been examined and the injuries attributed to the petitioners are stated to be simple in nature. The other co-accused namely Ritik @ Rabin and Ajay Kumar have already been granted concession of regular bail vide order dated 21.11.2023 (Annexure P-7) and the parity of the petitioners have not been disputed by the State counsel.
7. Consequently, both the petitions are allowed. The petitioners shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.
8. However, anything observed hereinabove, shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petitions only.

08.12.2023
Gaurav Sorot

(JASGURPREET SINGH PURI)
JUDGE

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