

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5184-2024 (O&M)
Date of Decision:28.02.2024

Gurmail Singh @ Gela ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Dheeraj Narula, Advocate for
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

CRM-6331-2024

Application is allowed as prayed for, subject to just all
exceptions.

Main case

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 207 dated 21.06.2023, registered under Sections 323,341,307 and 34 of IPC and under Section 25 of Arms Act, Police Station Kalanwali, District Sirsa.
2. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner had caused an axe blow on the back side of the head of the complainant, however, the complainant has already been discharged long ago. Even as per the MLR, the complainant had suffered lacerated wound of size 3cm x 1cm on the right parietal region with fresh bleeding and the

offence under Section 307 of IPC was wrongly added in the present case. Learned counsel next contends that the petitioner was arrested in the present case on 16.08.2023 and the charge has already been ordered to be framed against him and the next date of hearing before the Trial Court is fixed on 01.04.2024 for recording of the evidence.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case has been registered against the present petitioner, however, she admits that petitioner is on bail in the said case.

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

5. The petitioner is in custody for the last more than 06 months in the present case and the prosecution evidences are yet to be recorded by the Trial Court. Thus, the conclusion of the trial may take quite a long time and no purpose would be served by sending the petitioner behind the bars.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

28.02.2024
hitesh

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