

S. No.220

2024:PHHC:043963

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

CRM-M-3560 of 2024

Date of Decision:02.04.2024

Manoj Kumar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Munish Behl, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.253 dated 19.06.2023 registered under Sections 323, 324, 506 IPC (Section 307 IPC added later on) at Police Station Faridabad NIT, District Faridabad.

Learned counsel for the petitioner contends that initially FIR was registered under Sections 323, 324 and 506 IPC and that later on Section 307 IPC was added.

Petitioner is attributed to have abused complainant Aman besides Ravinder and Ram Swarup. Another attribution to the petitioner is to have given knife blows in the abdomen of Ravinder and also on the right elbow of complainant Aman.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated. Learned counsel has also placed on record the statements of four witnesses who have been examined so far, which include statement of complainant Aman, who did not attribute any injury to the petitioner qua him.

Learned counsel has also placed on record copy of the order dated 07.03.2024

passed by learned Sessions Judge Faridabad where the trial is going on as per which despite service of injured - Ravinder, he did not appear to depose. Learned counsel contends that the petitioner is now in custody for the last more than nine months and that he is not involved in any other case, so he be allowed bail.

Status report by way of affidavit of Shri Virender Singh, HPS, Assistant Commissioner of Police, Badkhal, District Faridabad has been filed on behalf of the respondent- State along with the custody certificate.

Learned State Counsel could not refute the afore-said contentions to the effect that despite service, PW Ravinder- injured did not appear. The custody certificate reveals that petitioner is in custody for the last 09 months and 02 days. He has no other criminal case pending against him.

Having regard to all the afore-said facts and circumstances of the case, but without commenting on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

April 02, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No