

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9578-2024
Date of Decision:06.03.2024

Rajesh Kumar ...Petitioner
vs.
State of Haryana ...Respondent

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

Present : Mr. Parminder Walia, Advocate
for the petitioner.

Mr. Gagandeep Singh Chima, AAG, Haryana.

Mr. Rajesh Bansal, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

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. 601 dated 25.07.2023, registered under Section 323,308,120-B, 109 of IPC (Section 307 of IPC added later on), Police Station Karnal City, District Karnal.
2. Learned counsel for the petitioner contends that the petitioner has not been named in the FIR and the FIR was registered against unknown persons. Later on, the petitioner was involved in the present case on the basis of CCTV footage, by alleging that the petitioner was also roaming in the same area. Learned counsel further contends that the complainant was taken to various hospitals, just to manipulate the medical evidence. He further contends that even at the time of admission in the hospital, the condition of the complainant was stable and the vitals were normal. Learned counsel while

referring to various Annexures P-2 to P-5, contends that in the present case, the complainant has tried to manipulate the medical evidence with the help of the doctors. He was shifted to different hospitals intentionally. He further contends that the the petitioner is in custody since 23.08.2023 and the challan has already been presented against him.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the serious and specific allegations have been levelled against the present petitioner. He further contends that the petitioner is also facing another case i.e FIR No. 592/2020 under Section 354,487,506 of IPC, Police Station City Karnal, Karnal, however, the petitioner is admittedly 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 continuing in custody since 23.08.2023 i.e for the last more than six months. The prosecution has relied upon 19 witnesses and no witness has been examined so far. The conclusion of the trial may take quite a long time.

7. 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

06.03.2024
hitesh

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