

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.10816 of 2024  
Date of decision: 6<sup>th</sup> March, 2024

Satyam @ Bholu

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Bhanu Udai, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana  
for the respondent/State.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.266 dated 11.05.2023 under Sections 308, 323, 34, 506 of the IPC (Section 308 deleted while Sections 307, 325 IPC and Section 25 of the Arms Act, 1959 added later on) registered at Police Station Old Industrial Panipat, District Panipat.

2. Learned counsel for the petitioner inter alia contends that the petitioner's false implication in the case in hand finds due credence from the fact that while stepping into the witness box, all the material witnesses including the complainant and the injured witnesses had not supported the case of the prosecution, as a result of which they were declared hostile. Learned counsel submits that in the circumstances,

further incarceration of the petitioner would serve no useful purpose as 10 prosecution witnesses still remain to be examined.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Ram Parsad, has not been able to dispute the submissions qua all the material witnesses having been examined and having been declared hostile during trial. It has been further submitted that the next date fixed before the trial Court is 20.03.2024 when some more prosecution witnesses out of the remaining 10, have been summoned to depose. Learned State counsel has, however, drawn the attention of this Court to the allegations leveled in the FIR and has submitted that all the accused including the petitioner assaulted the complainant with swords and sticks, on account of which he received multiple injuries including an injury inviting the mischief of section 307 IPC.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has now been in custody since 11.05.2023; as not disputed, all the material witnesses stand examined and did not support the case of the prosecution. Trial is unlikely to conclude in the near future. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)  
JUDGE

March 6, 2024  
*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |