

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11454-2024

Date of Decision:11.03.2024

Sandeep

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Manvender S. Chauhan, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

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. 366 dated 06.07.2023, registered under Sections 323,324,506 of IPC (Section 307 IPC and Section 25 of Arms Act added later on) Police Station Industrial Sector-29, District Panipat.
2. Learned counsel for the petitioner contends that the petitioner has been wrongly involved in the present case. He further contends that in fact, the petitioner himself is a victim in the present case at the hands of complainant and his brother, who attacked the petitioner with an axe and *farsa* and caused injuries to him. Even the petitioner moved an application against the complainant side for taking action against them at Police Station Sector-29, Panipat, but the police did not take any action in this matter. Learned counsel has placed reliance on the MLR of the petitioner Annexure P-2 in this regard.

He further contends that even it has been falsely alleged that a sum of Rs.5000/- was snatched by the petitioner from the shop of the complainant, however, no recovery has been effected from him. He further contends that the alleged victim in the present case has been discharged from hospital long ago. He next contends that the petitioner was arrested on 21.08.2023 and is in custody since then. Learned counsel further submits that in present case charge has been framed against the present petitioner and the conclusion of the trial may take quite a long time. Even otherwise, the petitioner has no criminal antecedents.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner and the petitioner does not deserve the concession of bail.

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

5. The petitioner was arrested in the present case on 21.08.2023 and is in custody since then. As per learned State counsel, the charge has already been framed against the petitioner, however, no witness has been examined so far and the conclusion of the trial may take quite a long time.

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

(N.S.SHEKHAWAT)
JUDGE

11.03.2024
hitesh

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