

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**CRM-M-13468-2024****Date of Decision: 20.3.2024**

Manoj alias Manohar

....Petitioner**VERSUS**

State of Haryana

....Respondent**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**Present: Mr. Kushager Goyal, Advocate, for the petitioner.
Mr. Vishal Kashyap, DAG, Haryana

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.585 dated 17.10.2023 registered for the offences punishable under Sections 323, 324, 34, 341, 506 IPC (Sections 147, 148, 149, 326 IPC added later on and Section 34 IPC deleted later on) at Police Station Rania, District Sirsa.

2. The allegations in nutshell are that at the time of the occurrence, the petitioner and his accomplices caused injuries to Beant Singh with different weapons while complainant-Gurvinder Singh managed to escape from the clutches of the accused. At that time, the petitioner was armed with wooden *danda* while co-accused Kuldeep Singh caused injuries to Beant Singh with the help of sword. During investigation, the petitioner was arrested and got effected recovery of wooden *danda*.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and is in custody since 5.11.2023 and no grievous injuries is attributed to the petitioner. He further submits that the injuries covered under Section 326 IPC is not attributed to the petitioner who is stated to be armed with wooden *danda* at the time of the alleged

incident. Counsel for the petitioner further submits that on completion of investigation, challan stands presented but it will take time for the trial to conclude. So, prayer is made that the petitioner, who is having no criminal history, be released on bail.

4. Present petition is resisted by the State counsel who on instructions from SI Kamal submits that all the accused persons including the petitioner caused injuries to Beant Singh and at that time, the petitioner was armed with *danda* and the said weapon was recovered during investigation of the case. State counsel has not disputed that the petitioner is in custody since 5.11.2023 and after framing of charges, now trial is fixed for prosecution evidence.

5. It appears that all the offences are triable by the Court of Magistrate. After completion of investigation, police presented challan and charges are also framed but till date, no prosecution witness is examined and it will take time for the trial to terminate. Apparently, it appears that no grievous injury caused with sharp edged weapon is attributed to the petitioner. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

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

(KARAMJIT SINGH)
JUDGE

March 20, 2023
Paritosh Kumar

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