

S. No.2192024:PHHC:008782

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:23.01.2024

1. CRM-M-15867 of 2023

Anil @ Golu.....Petitioner
Vs.
State of Haryana.....Respondent

2. CRM-M-16097 of 2023

Pinka.....Petitioner
Vs.
State of Haryana.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ashit Malik, Advocate for the petitioners.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

CRM No.2317 of 2024
CRM-M-15867 of 2023

This is an application under Section 482 Cr.P.C for placing on record

Annexures P.11 to P.15 and to exempt from filing certified and true copies thereof.

Application is allowed. Annexures P.11 to P.15 are taken on record.

CRM-M-15867 of 2023
CRM-M-16097 of 2023

The two petitioners, Anil @ Golu and Pinka, by way of afore-said two petitions filed under Section 439 Cr.P.C. prayed for their release on regular bail in case FIR No.162 dated 19.03.2022 registered under Sections 148, 149, 186, 323, 307, 332, 341, 353, 379-B IPC at Police Station Civil Lines Karnal, District Karnal.

These are the second petitions filed by both the petitioners. Earlier petitions were dismissed as withdrawn vide order dated on 19.01.2023 in CRM-M-1958 of 2023 and CRM-M-1912 of 2023 respectively.

Learned counsel for the petitioners contends that since the dismissal of the earlier petitions, only one witness has been examined so far out of 18 witnesses cited by the prosecution and that the trial is going at snail's pace.

As per the prosecution allegations, petitioners along with various other men and women inflicted injuries and gave beatings to the persons of opposite party i.e. Bansi side and when the Police party tried to intervene and resolve the matter, the accused party attacked the police personnels. When the Police party tried to leave the spot in the government vehicle, the petitioners along with others, blocked their way and snatched the key of the government vehicle and also damaged the equipments of the hospital.

The custody certificates would reveal that both the petitioners are in custody for the last more than 01 year and 10 months, though both of them are involved in one more case each. The zimni orders placed on record by learned counsel for the petitioners would reveal that only one witness has been examined so far.

Learned State Counsel also concedes the fact that out of 18 witnesses, only one of them has been examined so far.

It is also informed by learned State Counsel, that there were 24 accused who were named in the FIR, out of which 08 were placed in Column No.2 of the challan and out of remaining 16, 14 accused are on bail.

Having regard to all the afore-said facts and circumstances and custody period undergone by the petitioners and the fact that the trial may take long time to conclude, but without commenting anything on the merits of the case, present petitions are allowed. Petitioners are admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

A photocopy of this order be placed on the file of connected case.

January 23, 2024
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Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No

(DEEPAK GUPTA)
JUDGE