

CRM-M-21730-2024

[1]

224

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-21730-2024

Date of decision: 17.05.2024

Prashant

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Mandeep Nehra, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

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**KARAMJIT SINGH, J. (ORAL)**

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of regular bail in case having FIR No.45 dated 16.02.2024 registered under Sections 186 IPC (Section 307 and 323 IPC delter later on) and Sections 332, 353, 34 IPC and (Section 308 IPC added later on) IPC at Police Station Farakpur, District Yamuna Nagar.

2. As per the allegations appearing on the record, petitioner and co-accused Prajawal attacked police officials namely SPO Hoshiar Singh (complainant) and HGH Jagpal and caused injuries to them with the help of wooden *dandas*. During investigation, the petitioner was arrested.

3. The counsel for the petitioner submits that petitioner is falsely implicated in the present case, at the instance of police officials who themselves entered into an altercation. It is further submitted that the alleged injuries caused by blunt weapons were found to be simple in nature

CRM-M-21730-2024

[2]

as is evident from medical opinion given by medical officer MLDCH, Yamuna Nagar (Annexure P-3) which is relating to complainant Hoshiar Singh. It is further submitted that no medical report with regard to HGH Jagpal is available on the record of the police. It is further submitted that on completion of investigation, challan has been presented and it will take time for the trial to conclude. In the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The present petition is resisted by the State counsel who on instructions from ASI Manoj Kumar submits that petitioner and his companion attacked two police officials with wooden *dandas* and caused injuries to them, at the time of the occurrence which took place on the intervening night of 15/16.02.2024. However, the State counsel has not disputed the fact that injuries caused by the accused persons with blunt weapon were found to be simple in nature and that the petitioner is in custody since 22.02.2024 and is facing one another criminal case wherein he is already enlarged on bail. The State counsel has also not dispute the fact that after completion of investigation, challan has been presented against the petitioner and other accused.

5. I have considered the submissions made by counsel for the parties.

6. The petitioner is in custody for the last 2 months and 24 days and is already enlarged on bail in another criminal case faced by him as is evident from the custody certificate furnished by the State counsel. As has been admitted by the State counsel, complainant and HGH Jagpal sustained

CRM-M-21730-2024

[3]

injuries with blunt weapons and the same are found to be simple in nature. On completion of investigation, challan has been presented but it will take time for the trial to conclude. Thus, no purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In light of the above, without expressing any opinion 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 of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**17.05.2024**

*Yogesh*

**(KARAMJIT SINGH)  
JUDGE**

**Whether speaking/reasoned:-  
Whether reportable:-**

**Yes/No  
Yes/No**