

2024:PHHC:074460



215 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21962-2024
Decided on:-24.05.2024

Namish Sharma @ Kaku

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manpreet Singh Bhatti, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.363 dated 15.10.2023 registered under Sections 323, 324, 427 and 34 IPC (Section 307 IPC and Section 25 of the Arms Act, 1959 added later on) at Police Station Sector-65, District Gurugram, wherein the petitioner has been implicated with the allegations of having given injuries on the back and right side of the chest of the complainant with knife.

2. On the other hand, learned State counsel vehemently opposes the prayer made on behalf of the petitioner while referring to the nature and seat of injuries inflicted by the petitioner, which were on vital part of the body of the complainant, besides it, knife used in the crime has also been recovered from the petitioner and thus, he prays for dismissal of the present petition.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the

petitioner.

4. In the present case, investigation already stands concluded with the filing of challan followed by framing of charges and the petitioner, who is a young boy of 30 years of age is behind the bars for the last 07 months, besides it, he is not involved in any other case. The trial is likely to take some time. Even otherwise, the other co-accused, namely, Vishal Singh @ Vishal, Anas Habib and Vinay Kumar have already been granted the concession of regular bail by this Court vide order dated 06.03.2024 passed in CRM-M-11050-2024, order dated 19.03.2024 passed in CRM-M-12859-2024 and order dated 04.04.2024 passed in CRM-M-15388-2024, respectively.

5. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

24.05.2024

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(HARKESH MANUJA)
JUDGE

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