

2024:PHHC:013319

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

294

CRM-M-22886-2023 (O&M)
Date of decision : 31.01.2024

Rahul @ Raju Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Tushar Gautam, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana
with ASI Pradeeep Kumar.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.639 dated 06.10.2022, registered for the offences punishable under Sections 324, 506, 307, 201 and 34 of IPC and Section 25 of Arms Act (Sections 307, 201 and 34 of IPC and Section 25 of Arms Act added later on) at Police Station City Palwal, District Palwal.

2. As per the FIR, it has been alleged as under:-

“To, P.S. Incharge. Sir, it is submitted that I, Puran son of Dal Chand, am resident of Mata Wala Mohalla, Palwal. On dated 6.10.2022 at about 6-6.1/2 I am returning to my house after the work of Jagran. When I reached Jaindipur then Raj son of Dalip, resident of Jaindipur was found there and other two boys were also already present there. I do not know that Raju took out a knife and gave blow on his abdomen and head. Other boys gave blows of

2024:PHHC:013319

kick and fist and also threatened to kill me while going from there and said that now today you have been saved another day you shall be killed. The strict legal action be taken against all the abovesaid accused persons.”

3. Counsel for the petitioner submits that the petitioner is behind bars since 01.11.2022. Not only investigation stands concluded, but the trial has also proceeded considerably as the material witness i.e. the complainant/victim already stands examined. Thus, custody of the petitioner cannot be prolonged as a punitive measure.
4. State counsel is not in a position to dispute the factual averments borne out from the records.
5. Keeping in view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.
7. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

31.01.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No