



233

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CRM-M-23214-2024

Date of Decision:22.05.2024

PRAJWAL

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

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

Mr. Vinay Phogat, DAG, Haryana.

KARAMJIT SINGH, J.

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 deleted 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 Prashant attacked police officials namely SPO Hoshier 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 as is evident from medical opinion given by medical officer MLDCH, Yamuna Nagar (Annexure P-3) which is relating to complainant Hoshier 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 SI Janak Raj 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 23.02.2024 and is facing three other 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 29 days and is already enlarged on bail in another criminal cases 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 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. Co-accused Prashant is already granted concession of bail, 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.

(KARAMJIT SINGH)
JUDGE

May 22nd, 2024

Anu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No