

**210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Neutral Citation No. **2024:PHHC:024670**
CRM-M-33038-2023

Date of Decision: February 22, 2024

Mohd. Umar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikram Rana, Advocate for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.468 dated 03.09.2022, under Sections 323, 324 of IPC (Sections 307 and 34 IPC added later on), registered at Police Station Quilla Panipat, District Panipat. This the is second petition for this purpose. The earlier petition bearing CRM-M-8524-2023 was dismissed as withdrawn on 21.04.2023.

2. Allegations are that on 02.09.2022, Mohit S/o Som Nath was assaulted by petitioner - Mohd. Umar @ Bachhi and one Farman. The attribution to the petitioner is to have given cutter blow in the abdomen of injured Mohit.

3. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that co-accused Farman has already been allowed bail by this Court vide order dated 17.01.2024 passed in CRM-M-1540-2023 (Annexure P-3); that statement of injured Mohit has already been recorded; that the petitioner is in custody for the last more

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than 01 year and 05 months and that the trial may take long time to conclude, so he be allowed bail.

4. Learned State counsel has opposed the bail petition by pointing out towards the attribution to the petitioner, inasmuch as the injury attracting Section 307 IPC is attributed to the petitioner. Learned State counsel has also placed on record the testimony of injured – Mohit, in which he has supported the prosecution version by implicating the petitioner to have given the injury by cutter blow on his left side of the abdomen.

5. No doubt, PW1-Mohit has supported the prosecution version, but at the same time trial is yet to take long time to conclude. As per custody certificate, petitioner is in custody for the last 01 year, 05 months and 16 days. He has no criminal case pending against him. Petitioner is a young boy of 18 years, as per the petition.

6. Having regard to all the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, particularly considering the custody period of the petitioner, he is admitted to bail. He is ordered to be released on regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

February 22, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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