

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35537-2022

Rocky @ Sachin

.....Petitioner

Vs.

State of Haryana

.....Respondent

Reserved On.: 20.02.2024
Pronounced On: 22.02.2024

CORAM: - HON'BLE MR. JUSTICE DEEPAK GUPTA

Argued By: Mr. Manoj Tanwar, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

Mr. B.S. Rathee, Advocate
for the complainant.

DEEPAK GUPTA, J.

The petitioner prays for his release on regular bail, by way of present petition filed under Section 439 Cr.P.C, in case FIR No.67 dated 04.03.2022 registered under Sections 307, 323, 325, 506 & 34 of the IPC registered at Police Station Barauda, District Sonipat.

2. FIR was lodged on the statement of Ranbir son of Meher Singh, as per which on 04.03.2022, he and his brother Jasbir had gone to irrigate water in their fields, when petitioner driving a tractor along with co-accused namely Haseen, Babli and Rajbir came there. Rajbir exhorted the petitioner to run over the tractor over the complainant and his brother. Petitioner then ran over the tractor, which turned turtle. All the accused including the petitioner caused

injuries to the complainant and his brother.

3. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that the four injuries found on the person of Ranbir are either in the forms of complaint of pain or abrasion. Similarly, most of the six injuries as mentioned in the MLR of Jasbir are in the form of abrasions. Learned counsel also contends that statements of both the injured witnesses namely Ranbir and Jasbir have since been recorded during trial; that petitioner is in custody for the last more than 01 year and 11 months; that co-accused Rajbir has already been allowed bail by this Court and so, in all these circumstances, petitioner be allowed bail, as trial may take time to conclude.

4. Learned State counsel along with counsel for the complainant opposed the petition by submitting that both the injured have supported the prosecution version during trial and that injury found on the person of Jasbir has been opined to be dangerous to life.

5. However, it is conceded by learned State counsel that petitioner is in custody for the last 01 year 11 months and 15 days, which is otherwise also evident from the custody certificate. Said custody certificate also reveals that petitioner is not involved in any other case. Petitioner is a young boy aged 19 years. Trial may take time to conclude. Material witnesses already stand examined. Co-accused Rajbir has already been allowed regular bail by co-ordinate Bench of this Court vide order dated 22.07.2022 passed in CRM-M-30615-2022 (Annexure P-4).

6. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed.

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Petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

February 22, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No