



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

CRM-M-33884-2024

Date of Decision: 10.12.2024

Raman

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vikas Bishnoi, Advocate
 for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.865 dated 10.12.2023 registered under Sections 323, 324, 34 and 506 of IPC (Sections 326 and 307 of IPC added later on), at Police Station Urban Estate Hisar, District Hisar.

2. The FIR in the present case was registered on the basis of the statement made by Sikandar Singh son of Ram Kirpal. As per the allegations levelled by the complainant, the petitioner had caught hold of Sikander Singh, while injuries were caused to him by the other co-accused. Except that, no other role has been assigned to the petitioner. He further contends that even the injured had left the Govt. Hospital against the doctor's advise and later on, the medical evidence was also manipulated by the complainant side. Learned counsel further contends that even the injury, which attracted the offence under Section 307 IPC was not attributed to the petitioner. The petitioner was wrongly



arrested in the present case on 08.01.2024 and is in custody for the last more than 11 months. After completion of investigation, challan has already been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner has specifically named and had actively participated in the occurrence. She further contends that the petitioner is involved in one more criminal case i.e. FIR No.42 dated 14.07.2023 under Sections 147, 148, 149, 307, 302 of IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station GRP Hisar. However, the petitioner is on bail in the said case.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 08.01.2024 and after completion of investigation, the final report under Section 173 Cr.P.C. has already been presented against him. Moreover, the injured has already discharged from the hospital. Still further, the prosecution has been able to examine only two witnesses, out of total 19 witnesses, so far and the trial may not conclude in near future.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the



facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

10.12.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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