



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M -34391-2024
Date of Decision : **July 25, 2024**

AMAN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Gurmeet Kaur, Advocate for the petitioner.
Mr. Bhupinder Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.663 dated 23.11.2023, under Sections 148, 149, 323, 324, 506 and 326 IPC, registered at Police Station Sector 32-33, District Karnal.
2. The case of the prosecution as culled out from order of the learned Additional Sessions Judge, Karnal while declining the regular bail to the petitioner reads as under:-

“In brief, the prosecution case is that on 21.11.2023 police received information that Vansh Rana son of Aman Rana had been admitted in Amritdhara Hospital, Karnal on account of injuries sustained in a fight. Upon this, Investigating Officer reached Amritdhara Hospital Karnal and obtained the opinion of doctor who declared the injured Vansh Rana as unfit for making statement on 22.11.2023. On 23.11.2023, the doctor declared the injured as fit for making statement. In this regard, complainant alleged that he is the resident of Village Aripur, PS Gnaraunda, District Karnal and have been studying mechanical at ITI for four months. At about 04:40 pm, when he was inside



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ITI, there was a girl who knew him but he did not know her. She started telling him that two boys namely Aman and Sintu alongwith their eight friends were searching him and about hurting him so she advised him to go from there. On whose request, he reached at the gate of ITI at about 05:30 pm. There were 7/8 boys after which he came to know the names of the boys as Aman and Sintu. Aman and Sintu asked him are you Vansh. As soon as, he said yes, Anan took out a knife from his pants with his hand attacked him and stabbed on the right shoulder. The companions of the assailants also beatings with dandas, punches and slaps. The assailants ran away alongwith their weapons and threatened to kill him upon getting an opportunity. A prayer was made to take necessary action against the culprits. On the basis of said application and the MLR of injured Vansh, the present FIR was registered under Section 148, 149, 323, 324, 506 IPC.”

3. The study survey of the above allegations reflects that the petitioner is the main accused, who caused injury which attract the penal provisions of Section 326 IPC.

4. Learned counsel for the petitioner in the asking for the relief submits that there are total 9 accused and out of those 9 accused, 5 accused have already been granted the relief of bail and 2 accused are still absconding and the petitioner is the only person, who is languishing behind the bars in the instant FIR. She further submits that the petitioner has clean antecedents and has suffered incarceration of more than 4 months as on today.



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5. Per contra, the learned State counsel has opposed the grant of relief of regular bail to the petitioner and submitted that the petitioner has caused the injury which was subsequently declared grievous in nature. He further informs the Court that after completion of investigation, the final report has been filed way back on 16.5.2024 and thereupon the learned trial Court concerned has framed the charges against the present petitioner and the other co-accused on 31.5.2024 and the prosecution has cited total 11 witnesses in the final report, but none has been examined till date.

6. Be that as it may, keeping in view the role of the present petitioner, the allegations levelled in the instant FIR and the days of incarceration i.e. 4 months and 2 days, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

7. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

8. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No