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

CRM-M-39184-2024**Date of Decision: 21.08.2024**

Abhishek

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Kuldeep Sheoran, 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 in case FIR No.807 dated 02.11.2023 registered under Sections 148, 149, 323, 324, 506 of IPC (Sections 201, 307, 326 of IPC added later on) at Police Station Urban Estate Hisar, District Hisar.

2. Learned counsel for the petitioner contends that no specific injury has been attributed to the petitioner and as per the case of the prosecution, he had allegedly caught hold of the injured alongwith the other co-accused. He further contends that the offence under Sections 307 and 326 of IPC were added at the later stage only to make the offence more grave. Even no recovery was effected from the petitioner. Learned counsel further contends that after completion of the investigation, the final report under Section 173 Cr.P.C. has



already been presented against him and the conclusion of the trial may take quite a long time.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the petitioner is in custody for the last more than eight months and after completion of the investigation, challan has already been presented against him. Even the injured has already been discharged from the hospital and is hale and hearty. Even the prosecution has placed reliance on 20 witnesses, but no witness has been examined so far.

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.

21.08.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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