

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-41187-2023 (O&M)
Date of Decision:-29.2.2024

Anshu ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuldeep Sheoran, Advocate with
Mr. Sanchit Punia, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR No.	Dated	Police Station	Section/s
409	9.12.2022	Julana, District Jind	147, 149, 323, 365, 50 of Indian Penal Code, wherein offences under Sections 147 and 149 IPC were deleted and offences under Sections 325, 367 and 34 of Indian Penal Code were added later on

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Virender, wherein it is alleged that on 9.12.2022, he was inflicted injuries by Deepak, Atul and Amit, who were

accompanied by 2-3 more persons. It is alleged that the assailants were armed with bricks and sticks and had inflicted injuries with an intention to kill him. Amit is specifically alleged to have given a blow with brick on the head of the complainant while the others are alleged to have inflicted injuries with the help of sticks.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and infact is not even named in the FIR and came to be nominated subsequently by the complainant. It has further been submitted that, in any case, even as per the improved version of the complainant, the petitioner was armed with a thick wooden stick only.
4. Opposing the petition, learned State counsel submitted that since the petitioner as well as co-accused had collectively inflicted a large number of injuries i.e. as many as 18 injuries to the complainant, which are duly reflected from the MLR, no case for grant of bail is made out. It has been submitted that identification of the petitioner was disclosed by the complainant in the supplementary statement and, as such, there is no room to doubt the presence of the accused at the spot. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1 year and 2 days and that the complainant already stands examined. It has also been informed that as on date 7 PWs out of the cited 17 PWs have been examined and that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but having regard to the custody of the petitioner i.e. about 1 year and 2 days and also

the fact that the complainant has already been examined and that the conclusion of trial is likely to take some time as only 7 PWs out of the cited 17 PWs have been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.2.2024
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No