

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

CRM-M-53152-2023

Date of Decision:28.02.2024

Himanshu

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Sanpreet Sandhu, 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.135 dated 12.06.2023 registered under Sections 323, 324, 452, 506, 307, 34 of IPC, at Police Station Radaur, District Yamuna Nagar.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of the statement made by Avinash son of Koshal Kumar. He further contends that the petitioner has been falsely involved in the present case, however, no motive has been attributed to the present petitioner. Learned counsel further contends that in the present case, there was no medical opinion declaring any injury to be dangerous to the life and under Section 307 IPC has been added by the prosecution, just to make the offence graver. Learned counsel further contends that the petitioner was arrested in the present case on 12.07.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. He further contends that

now, the case is listed before the trial Court on 29.04.2024 for framing of charges and the trial Court may take considerable time in concluding the trial in the present case.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case i.e. FIR No.154 dated 28.02.2022, under Sections 148, 149, 323, 324, 307 of IPC and Sections 25/54/59 of Arms Act at Police Station Indri, Karnal has been registered against the present petitioner. However, she admits that the petitioner is on bail in the said case.

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

5. The petitioner was arrested in the present case on 12.07.2023 and is in custody since then. The next date of hearing before the trial Court is fixed on 29.04.2024 and the trial Court may take considerable time in concluding the trial.

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.

28.02.2024
hemlata

(N.S.SHEKHAWAT)
JUDGE

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