

S. No.223

2024:PHHC:034153

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

CRM-M-61248 of 2023

Date of Decision:11.03.2024

Gurnam

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Satish Saini, Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.268 dated 21.08.2023 registered under Sections 323, 324, 506, 148, 149 IPC (Section 307, 326 IPC & Section 25 of Arms Act added later on) at Police Station Ram Nagar, Karnal.

2. The occurrence took place on 20.08.2023. It is alleged that the petitioner along with various other co-accused, attacked the complainant party and caused injuries to them attracting Sections 323, 324, 506, 307 and 326 IPC. The role attribution to the petitioner is that he had called co-accused Vinay through his mobile. Thereafter, co-accused Khushi, Vinay and Kashu reached the spot armed with knives and other weapons. Subsequently, the other co-accused also reached at the spot. Petitioner is also attributed to be armed with a danda with which he assaulted Vikas.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that no specific injury is attributed to him and that the only injury attributed to the petitioner is on the person of Vikas, which was simple in nature. Learned counsel also contends that the petitioner is in custody

for the last more than six months and that the trial may take long time to conclude.

4. Status report by way of an affidavit of Shri Veer Singh, HPS, Deputy Superintendent of Police, City Karnal, District Karnal has been filed on behalf of the respondent- State along with the custody certificate.

5. Learned State Counsel concedes the fact that the only role attributed to the petitioner is to have called the co-accused and to have given blow with a stick to Vikas causing simple injury.

6. As per custody certificate, the petitioner is in custody since 24.08.2023 i.e. for the last more than six months. It is informed by learned State Counsel that though the challan has been filed but charges have not been framed so far and thus trial is likely to take long time.

7. Having regard to all the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

March 11, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No