

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224 CRM-M-62368-2023 (O&M)
Date of Decision.:19.03.2024

SanjuPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ashutosh Gupta, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

Learned counsel for the petitioner has placed on record copy of statements of PW Hafij (injured) and that of PW Salim (complainant) so as to contend that statements of material witnesses have already been recorded by the Trial Court.

2. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.209 dated 14.06.2023 registered under Sections 323, 324, 326, 307, 506, 34 of the IPC & Section 25 of Arms Act registered at Police Station Sadar Ballabgarh, District Faridabad.
3. Allegations are that petitioner along with Ritik, Monu and others caught hold of Hafij. It is co-accused Ritik, who is attributed to have inflicted knife blows in the abdomen of Hafij.
4. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that he is in custody for the last more than 09

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months; that petitioner is not involved in any other case; that material witnesses have already been examined and that it is Ritik who is attributed to given knife injuries attracting Section 307 of the IPC and so, he be allowed bail.

5. Learned State counsel has conceded the fact that injury in the abdomen of injured Hafij is attributed to co-accused Ritik and not to the petitioner. However, learned State counsel has opposed the petition by submitting that petitioner is attributed to have caught hold of the complainant.

6. As per the custody certificate placed on record by learned State counsel, petitioner is in custody for the last 09 months and 02 days. He has no other criminal case pending against him. Statements of Hafij as well as Salim have already been recorded. The injury attracting Section 307 of the IPC is attributed to co-accused Ritik.

7. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

March 19, 2024
Neetika Tuteja

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