

228IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-63393-2023

Decided on:-26.02.2024

Rahul

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Puneet Kakkar, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.346, dated 26.06.2023, registered under Sections 307, 323, 325 read with Section 34 and 506 IPC, at Police Station Industrial Area, Sector 29, Panipat.

2. Learned counsel for the petitioner submits that the petitioner has been implicated with the allegations of having pulled down the injured-complainant from the stairs of his rented shop and given beatings to him with iron rod.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the number of injuries, besides the same having been declared to be dangerous to life and thus, prays for dismissal of the present petition.

4. I have heard learned counsel for the parties and gone through

the paper book and find substance in the submissions made on behalf of the

petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges and the petitioner is behind the bars for the last almost 07 months; however, none of the prosecution witnesses has been examined so far and thus trial is likely to take some time, beside it, he is not involved in any other case. Moreover, as per information provided by learned State counsel, the injured was discharged from the hospital within a period of two days. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

26.02.2024
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(HARKESH MANUJA)
JUDGE

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