

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

CRM-M-62481-2024 (O&M)
Date of Decision:-17.12.2024

Surender Kumar @ Kanchla... Petitioner

Versus

State of Haryana... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.S. Beniwal, Advocate,
for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
0041	22.2.2024	City Ratia, District Fatehabad (Haryana)	147, 148, 149, 323, 324, 379-B, 384, 427, 452, 458 and 506 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged at the instance of Harminder Singh who has alleged that he is running a ‘*bhangra*’ party under the name and style of ‘Sabhyachar Group’ and that many boys and girls work in the said group. It is alleged that on 21.2.2024, when the complainant was parking his car in a vacant plot, then his wife Nirmal Kaur, daughter Anmol and some members/girls of bhangra team were inside the house. It is alleged that accused namely Malkeet @



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(2)

Roda, Yograj, Labbu @ Billa, Karan, Om Singh @ Bholu, Surender @ Kanchla (petitioner), Akhtar @ Vashid, Kalu, Budhu, Happy, Sanjeev, Aryan, Panda, Nitish, Akash and Abhishek came to his house and broke the main gate and caused damage to window panes, LCD, fridge, RO, mobile, CCTV camera, double-bed etc. and also inflicted injuries to Kaimi with sharp edged weapon and gave fist and kick blows to his wife Nirmal Kaur and also snatched an amount of Rs.20,000/- from his wife.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that in any case since the petitioner has been behind bars for a substantial period of about 9 months and 23 days, he deserves the concession of grant of bail.
4. Opposing the petition, learned State counsel submitted that since the petitioner is specifically named in the FIR, his complicity is clearly evident. However, it has not been denied that the petitioner has been behind bars for a substantial period of about 9 months & 23 days. Learned State counsel has informed that challan has been presented in the present case but charges are yet to be framed and as many as 27 PWs have been cited.
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 substantial custody of the petitioner i.e. about 9 months & 23 days and while bearing in mind the fact that trial has not even commenced inasmuch as not even a single PW out of cited 27 PWs has been examined till date, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time.



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7. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

17.12.2024
Geeta/P

(Gurvinder Singh Gill)
Judge

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