



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
215 CRM-M-3753-2024
Date of decision: 27th March, 2025

Anil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Dharambir Singh Sihag, Advocate for the petitioner.
Ms. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 640 dated 11.11.2022 registered under Sections 307, 323, 324, 506 and 34 of IPC at Police Station Adampur, District Hisar, Haryana.

2. As per the allegations, on the night of 10.11.2022, the complainant Kamlesh Kumar along with Pintu and Rajinder Rai had come from Bihar to village Modakhera. After reaching at the bus-stand, they had hired an auto to go to village Modakhera. The petitioner was driving the auto whereas co-accused Sonu was sitting besides him. On reaching at the destination, the petitioner raised demand of a sum of Rs. 900/- though, the charges were fixed to be Rs. 750/-. When the complainant confronted him, he started hurling abuses and then drove the auto without alighting them therefrom and stopped only at a distance. Since his companion Pintu had called his brother Raju in the meanwhile, who had reached there along with his friend Nanku, they had a word with them. Then the petitioner and co-



accused Sonu opened an assault upon them. The petitioner struck a blow with knife in the abdomen of Pintu, whereas, Sonu caught hold of him. Another blow was given at the chest of Nanku. On clamour being raised by them, assailants fled from the spot. After registration of aforementioned FIR, investigation proceedings were initiated. The petitioner was arrested on 12.11.2022. He suffered disclosure statement and got recovered the vehicle used at the time of commission of offences as well as the weapon of offence. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he is in custody since long. He has been falsely implicated in this case. The co-accused Sonu has been extended benefit of bail. No motive has been attributed to him and there was no pre-meditation. Trial would take considerable time. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned Deputy Advocate General, Haryana, has vehemently argued that the allegations against the petitioner are serious in nature. Infact, it was he who had initiated the occurrence and had caused injuries by striking blows with knife on the person of the victims Pintu as well as Nanku, apparently with intention to kill them and thereby making an attempt to do so. There is nothing on record to suggest that there would be any undue delay in conclusion of the trial. The petitioner has criminal antecedents as he is involved in another case of similar nature. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.



5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. As per the allegations, the petitioner is alleged to have struck blows with a knife on the person of the victims Pintu and Nanku, thereby causing serious injuries to him. As mentioned in the status report, victim Nanku had sustained simple injury in the incident, whereas, the injury found on the person of victim Pintu was opined to be grievous in nature and dangerous to life. Charges in this case framed on 04.03.2023. The victims have not been examined so far and the complainant is stated to have died. Keeping in view, the period of incarceration of the petitioner, the fact that the trial is likely to take time as the eye-witnesses/victims are not coming forward, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th March, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*