



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

CRM-M-59281-2024
Date of Decision:04.02.2025

RAJU
VERSUS
....Petitioner

STATE OF HARYANA
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Devender Kumar, Advocate for
 Mr. Kulwant Singh Dhanora, Advocate
 for the petitioner.

 Mr. Arjun Lakhanpal, Addl.A.G., Haryana.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.178 dated 16.06.2024 registered for the offences punishable under Sections 114, 147, 148, 149, 307, 323, 325, 341 of IPC at Police Station Narwana City, District Jind.

2. The allegations in nutshell are that on 15.06.2024, some minor incident took place at 5:00 pm. Thereafter at about 8:00pm, co-accused Bacchi caused injury to Ishudip with ice pick and thereafter Bacchi fled away from there on his motorcycle. Injured Ishudip was shifted to General Hospital, Narwana. At about 9:00 pm, the accused



persons along with seven unknown persons reached the said hospital where they attacked the complainant and Shamsher with wooden dandas and Shamsher sustained head injury and became unconscious even the complainant and Jagbir also suffered multiple injuries and while going away the accused persons extended threats. The injury caused on the head of Shamsher was found to be dangerous to life. During investigation, the petitioner was arrested.

3. Counsel appearing on behalf of petitioner *inter alia* submits that the petitioner is falsely implicated in the present case and otherwise also no specific injury is attributed to the present petitioner and that the petitioner is in custody for the last more than 7 months and that it will take time for the trial to commence as charges are yet to be framed. It is further submitted that as the injury which is stated to be declared as dangerous to life is not attributed to the present petitioner, no useful purpose is going to be served by prolonging the judicial custody of the present petitioner.

4. The present petition is resisted by the State counsel, who on instructions from ASI Malkiat Singh submits that petitioner was member of unlawful assembly which attacked the complainant, Shamsher and Jagbir Singh. However, the State counsel has not disputed the fact that injury on the head of Shamsher is ascribed to co-accused Jatin while that on the neck of Shamsher is attributed to Pappan Saini and that no specific injury is attributed to the present petitioner. The main allegations are that



he instigated the other accused persons to cause physical harm to the complainant, Shamsheer and Jagbir. The State counsel has also not disputed the fact that petitioner is behind bars for the last more than 7 months and that after presentation of challan, charges are not framed against the accused persons including the present petitioner till date.

5. I have considered the submissions made by the counsel for the parties.
6. It appears that the liability of the present petitioner under Section 307 of IPC is fastened only with the aid of Section 149 of IPC, otherwise no specific injury is attributed to the present petitioner who is behind bars for the last more than 7 months and it will take time for final disposal of the trial as till date charges are not framed against the accused persons. In the given circumstances, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.
7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

04.02.2025

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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