



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

CRM-M-64703-2024
Date of decision: 21.02.2025

Sunil @ Pappan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Parveen Moudgil, Advocate for the petitioner.

Mr. R.K. Singla, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483. BNSS seeking grant of regular bail in case having FIR No.178 dated 16.06.2024, under Section 114, 147, 148, 149, 307, 323, 325, 341, 506 of IPC, Police Station Narwana City, District Jind.

2. The allegations in nutshell are that police recorded statement of injured Anil to the effect that on 15.06.2024 at about 5 PM, he was present along with his uncle Jagbir, Ishudeep son of Krishan and Rakesh in a shop in the area of vegetable market. Rajender Pardhan of vegetable market and Sonu son of Inder Singh came there and started hurling abuses to his uncle Jagbir. However, the persons who were present at the spot intervened. However, thereafter, at about 8 PM when Anil and other members of his family were going back to their house in a car, on the way they were intercepted by Bacchi son of Pavva and two other persons came on the motor cycle. Bacchi attacked Ishudeep with ice pick assuming



that he was Jagbir. Injured Ishudeep was shifted to general hospital, Narwana. At about 9 PM, Rajender Pradhan, Sonu, Raju Parshad, Sandeep, Kabir along with 7 other unknown persons reached the said hospital. All of them were armed with different weapons and they started abusing Jagbir. Anil and Shamsheer tried to intervene but were attacked by the opposite party. Shamsheer received injury on his head. Even, the complainant and Jagbir also sustained injuries. The name of the present petitioner surfaced in the statement of injured Shamsheer Singh and thereafter, the petitioner was arrested.

3. The counsel for the petitioner inter alia submits that the petitioner who was not named in the FIR was later on falsely implicated in the present case. It is further submitted that as per the prosecution version, the petitioner gave *danda* blow on the neck of Shamsheer Singh and the said injury is not described in the MLR Annexure P-2 of the injured. It is further submitted that the petitioner is in custody for the last 6 months and on completion of investigation, challan has been presented but it will take time for the trial to conclude. That in the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

4. Reply by way of an affidavit of Amit Bhatia, Deputy Superintendent of Police, Narwana, District Jind filed on behalf of the State is taken on record along with documents Annexure R-1 to Annexure R-4.

5. The present petition is resisted by the State counsel who submits that no doubt, the petitioner was not named in the FIR, but he actively participated in the occurrence and gave *danda* blow on the neck of



Shamsher Singh. However, the State counsel has not disputed the fact that during investigation, the petitioner was arrested and is incarcerated for last 6 months and that the trial will commence only after the framing of charges.

6. I have considered the submissions made by counsel for the parties.

7. Admittedly, the petitioner was not named in the FIR and later on, nominated as an accused on the basis of statement Annexure P-3 of injured Shamsher Singh. The only allegations appearing on the record against the present petitioner are that the petitioner gave danda blow on the neck of Shamsher Singh. However, no such injury is described in the MLR Annexure P-2 of Shamsher. As per custody certificate, the petitioner is incarcerated for last 6 months and it will take time for trial to terminate. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any longer period.

8. 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.

21.02.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No