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

CRM-M-65171-2024

Date of Decision: 13.01.2025

Karan

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Amit Choudhary, Advocate, for the petitioner.
Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. On the oral request made by learned counsel for the petitioner, Sections 3(5) and 109 of BNS are ordered to be added in the headnote as well as prayer clause of the main petition.
2. Learned counsel for the petitioner is directed to carry out the necessary correction in the Court itself.
3. The petitioner has filed the present petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, with a prayer to grant regular bail to him in case FIR No.293 dated 07.07.2024, registered under Sections 117(2), 191(2), 191(3), 190, 115(2), 126(2), 351(2), 324(4), 3(5) and 109 of BNS, 2023, at Police Station Sadar Fatehabad, District Fatehabad.
4. Learned counsel for the petitioner contends that the FIR in the present case was initially registered against unknown persons. Later on after a delay of one month and 20 days, the complainant made a supplementary statement, wherein he stated that he had come to know that four persons



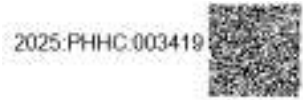
including the petitioner were responsible for causing injuries to him. He further contends that the petitioner was arrested in the present case on 26.08.2024 and is in custody since then. Learned counsel further contends that after completion of the investigation, the injured has already been discharged from the hospital. The final report under Section 173 Cr.P.C. has been presented against him and the conclusion of the trial may take a long time. He further submits that similarly placed co-accused, namely, Ajay has already been granted the concession of bail by this Court vide order dated 08.01.2023 passed in CRM-M-64161-2024.

5. On the other hand, learned State counsel submits that the petitioner alongwith other accused had caused injuries to Bobby, injured and injury No.1 to the person of Bobby has been declared to dangerous to life.

6. I have heard the learned counsel for the parties and perused the record carefully.

7. The petitioner is continuing in custody in the present case since 26.08.2024 and challan has already been presented against him. Even the petitioner was not initially named in the FIR and has been nominated as accused after a delay of about 50 days. The prosecution is yet to lead evidence with regard to the complicity of the petitioner in the commission of the crime and the trial has not even formally commenced. Moreover, similarly placed co-accused, namely, Ajay has already been granted the concession of bail by this Court vide order dated 08.01.2023.

8. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his



furnishing bail bonds and surety to the satisfaction of the concerned trial Court/
Duty Magistrate/Chief Judicial Magistrate.

13.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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