



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

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**CRM-M-16946-2024 (O&M)
Date of Decision:- 18.02.2025**

AMIT

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. S.S. Momi, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
526	27.07.2023	307, 323, 324, 379-B, 34 IPC (148 and 149 IPC added and 34 IPC deleted later on)	Thanesar Sadar, District Kurukshetra

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 22.08.2023, and after the completion of investigation, challan has been presented in the Court. He submits that the co-accused have already been granted the concession of bail



by this Court vide orders Annexures P-3 and P-4. He further submits that the conclusion of trial will take sufficient long time, thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has strongly assailed these arguments by submitting that the petitioner has actively participated in the occurrence and has caused knife blow in the abdomen of the victim with intent to kill him and as such the petitioner does not deserve any leniency. He submits that the trial is going on and 06 witnesses have already been examined by the prosecution. He further submits that taking into account the active participation of the petitioner in causing injury in the abdomen of the victim, which was declared dangerous to life, does not entitle the petitioner for grant of bail, hence prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that the instant case was registered on receipt of information from hospital regarding injured Ismaile being admitted in the hospital on account of injuries suffered in a quarrel. The statement of injured could not be recorded as he was referred to PGIMER, Chandigarh and his uncle made a statement that on 26.07.2023, he received an information that his nephew was given injuries by the assailants with knife, wherein one of the accused, who is a juvenile had caught hold of him and the petitioner gave knife below in the stomach of the victim and snatched the silver chain from him. As a result, the victim fell down unconscious and was shifted to the hospital.



Accordingly, the FIR was registered.

6. So far as the arguments raised by learned counsel for the petitioner is concerned regarding the co-accused Rakesh and Munish Kumar having been granted bail vide orders Annexure P-3 and P-4 are concerned, it is apt to mention here that they were granted bail on the specific assertion made by learned counsel for the complainant that they were named due to misconception of facts and that they are not involved in the present occurrence leading to this Court granting the concession of bail to them. However, it is not so in the case of the petitioner. Even otherwise from the perusal of the record it is evident that there is specific allegation against the petitioner of having attacked the victim with a knife hitting him in his abdomen, a vital part of the body, and having snatched the silver chain of the victim. The said injury has been declared dangerous to life.

7. In these circumstances, considering the serious nature and gravity of offence involved, the petitioner is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

18.02.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No