

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-38634 of 2015 (O&M)

Date of decision: 08th December, 2015

Virender Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Satbir Gill, Advocate,
for the petitioners.

INDERJIT SINGH, J.

Petitioners have preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.93 dated 27.05.2015, registered at Police Station Ding, District Sirsa, under Section(s) 459/34 IPC.

Notice of motion.

On the asking of the Court, Mr. Himmat Singh, AAG, Haryana, has accepted notice on behalf of respondent(s)-State and contested the instant petition. Police record is also available.

I have heard learned counsel for the petitioners as well learned State counsel and have gone through the record.

In the instant case, the FIR has been registered on the statement of Subhash Chhabra (complainant). As per allegations in the FIR, in the intervening night of 26/27.05.2015, the complainant was sleeping on the roof of his house. At about 2:00/2:30 a.m., when he came down to sleep in room, he saw two persons in his house,

one was standing near kitchen and another was in front of the room. One of them caught hold the complainant and another inflicted 'kappa' blow on his right arm. The complainant fought with them in defence. He received injuries on the palm, little finger and wrist of his right hand. On raising alarm (raula), the said persons ran away. It is contended that the challan has already been presented, charge has been framed and even some witnesses including the complainant have already been examined. The petitioners are not required for any investigation or interrogation purposes. They are only to face the trial. Petitioner Virender Singh is in custody since 31.05.2015 and petitioner Rakesh Kumar is in custody since 03.08.2015. The trial of the case will take long time and no useful purpose will be served by keeping the petitioners in custody till the disposal of case.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds in the sum of ₹ 50,000/- with one surety in the like amount each to the satisfaction of the learned trial Court/Duty Magistrate.

08th December, 2015
mamta

(INDERJIT SINGH)
JUDGE