

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

212

CRM-M-39221 of 2014

Date of Decision: 29th January, 2015.

Hoshiar Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: Hon'ble Mrs. Justice Daya Chaudhary

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. A.G., Haryana.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.98 dated 11.07.2014, registered under Sections 147, 148, 149, 332, 353, 186, 224, 225, 427, 307 IPC and Section 25(54) of Arms Act at Police Station Behal, District Bhiwani during the pendency of the trial.

Learned counsel for the petitioner submits that the petitioner is father of the main accused namely, Rajender @ Hathi and has been implicated because of him only. No injury has been attributed to the petitioner. The only allegation against the petitioner is that he was armed with Jelli but no injury was caused. Learned counsel for the petitioner also submits that the petitioner is

in custody since 21.07.2014 and after presentation of the challan, the charges have been framed and the trial will take long time to conclude and there is no other case pending against him. Learned counsel also submits that all witnesses are official witnesses and there is no possibility to influence the witnesses in any manner. The petitioner is also ready to abide by all the terms and conditions to be imposed by this Court as well as by the trial Court.

Learned State counsel does not dispute the role and custody period but opposes grant of bail to the petitioner on the ground that the police officials were attacked by the accused persons.

In view of the submissions made by learned counsel for the petitioner and keeping in view the role of the petitioner; also the fact that the allegations of causing injury are qua to the accused who is son of the present petitioner; no injury has been attributed to him; he is having no criminal history as no other case is pending against him; all witnesses are official witnesses; and the fact that trial will take long time to conclude as only challan has been presented, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

29.01.2015
sonia g.

(DAYA CHAUDHARY)
JUDGE