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

**CRM-M-13380-2017
Date of decision : 31.05.2017**

Bijender @ Nanha

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Robin Singh Hooda, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J. (Oral)

Prayer is for bail pending trial to the petitioner in FIR No.92 dated 24.03.2017, registered under Sections 354-A, 354-B, 354-D, 509, 452, 323, 379-B and 506 IPC at Police Station City Gohana, District Sonapat.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on account of an altercation which took place between the complainant and the petitioner due to construction waste (malba) thrown outside the petitioner's house. The version given in the FIR is highly improbable. No complaint had ever been lodged at any point of time prior to the incident, against the alleged conduct of the petitioner qua the complainant on earlier occasions. He further submits that the petitioner is not involved in any other criminal case.

On the other hand, learned State counsel submits that specific allegations have been raised against the petitioner. It is however, verified on instructions from ASI-Dharmendar, that the final report under Section 173

Cr.P.C has been submitted in this case. The petitioner, it is affirmed, is not involved in any other criminal case.

Trial, in this case, is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by the petitioner, namely, Bijender @ Nanha, is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

The petitioner, it is clarified shall not try to contact the victim/complainant or the witnesses in any manner, directly or indirectly.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

(LISA GILL)
JUDGE

May 31, 2017

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No