

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

**CRM-M-34537-2019
Date of decision: 29.08.2019**

Akshay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amardeep Sheoran, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 301 dated 28.12.2018, registered under Sections 147, 148, 149, 186, 307, 332, 341, 353, 427, 506 of the IPC (Sections 225, 333, 511 of the IPC added later on) at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance Pushpender Singh, SHO/SI, Police Station Tara Nagar, District Churu, Rajasthan, it is stated that he along with other police officials of Rajasthan Police, with regard to an FIR registered under the Excise and Taxation Act at Police Station Tara Nagar, came to the house of petitioner for arresting him, upon which, the petitioner and others obstructed in performance of their official duties and caused injuries to the police officials.

Learned counsel for the petitioner further submits that there is no specific opinion given by the doctor that the injury suffered by any of the

police officials is dangerous to life.

Learned counsel for the petitioner further submits that even the sister of the petitioner has filed a complaint before the Illaqua Magistrate at Loharu against the police officials regarding forcible arrest of his brother/petitioner.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody since 30.03.2019; challan stands presented and conclusion of the trial is likely to take some time. It is further submitted that three of the co-accused of the petitioner have already been granted concession of regular bail.

Learned State counsel has placed on record certificate issued by the Superintendent, Sub Jail, Rajgarh, Churu to submit that the petitioner is presently confined in a jail in Rajasthan.

Learned State counsel, on instructions from ASI Dharambir Singh, however, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody since 30.03.2019 and the conclusion of the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

29.08.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*