

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

**CRM-M No. 50333 of 2019
Date of Decision:-03.12.2019**

Manoj @ Kallu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Ms. Bhavna Grewal, Advocate for
Mr. S.K. Yadav, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Manoj @ Kallu has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 52 dated 15.01.2019 under Sections 307, 323, 324, 34, 379-B, 506 IPC and Section 25 of the Arms Act, 1959 (wrongly recorded Section 25/54/59 of Arms Act in the impugned order), registered at Police Station City Narnaul, District Mahendergarh. He is in custody since his arrest on 16.04.2019.

The FIR in the present case has been registered on the statement of complainant Sumit Kumar, wherein it was alleged that on 09.01.2019 at about 11:00 AM, he along with Namit was going to Narnaul on his two wheeler bearing No.HR-35-G-7398 and when he reached near

Raghunathpura, Hanuman Temple, a Bolero vehicle hit his motorcycle from behind and both of them fell down. The Bolero was driven ahead and reversed at a high speed in order to kill them. But he and his companion saved themselves by leaving the road and ran towards crusher. According to the complainant, three-four young persons alighted from the Bolero vehicle, who were armed with sword, iron rod and countrymade pistol and gave beatings to the complainant. The injuries were caused by Manoj @ Kallu, Ankit Jangid, Jantri Yadav along with two-three boys to the complainant and Namit. The assailants also snatched away Rs.22,000/- from the pocket of the complainant.

Learned counsel appearing for the petitioner contends that as per version of the FIR, petitioner has allegedly been attributed sword blow, caused to the complainant. She further contends that co-accused Ankit Jangid, who was also attributed similar allegations, has been extended concession of regular bail by this Court vide order dated 18.11.2019 in CRM-M-48058-2019. Co-accused Bijender @ Tawar is also stated to be granted concession of regular bail by this Court vide order dated 14.10.2019 in CRM-M-42491 of 2019. It is pointed out that the FIR was lodged on 15.01.2019, after a delay of 6 days from the date of occurrence, which took place on 09.01.2019. She submits that the investigation of the case is complete and the trial is likely to consume time as the charges are yet to be framed, therefore, further custody of the petitioner may not be required.

On the other hand, learned State counsel, who is assisted by ASI Naresh Kumar, has opposed the prayer, however, it is not disputed that

co-accused Ankit Jangid and Bijender @ Tawar have been granted regular bail.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

December 03, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No