

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

**CRM-M No. 56221 of 2018
Date of Decision:-24.01.2019**

Balwan @ Buggal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. V.B. Aggarwal, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Balwan @ Buggal has prayed for grant of regular bail pending trial in case FIR No.147 dated 10.7.2018, under Sections 307, 323, 324, 506, 341, 34 IPC, registered at Police Station Uklana, District Hisar. He is in custody since his arrest on 18.7.2018.

On the complaint given by Sudesh Devi, the FIR in question was registered with the allegations that she alongwith her husband Ram Kalan and nephew Rahul went to the plot at Khairi. The complainant had some dispute with Balwan @ Buggal etc., who owns the adjoining plot. On 10.7.2018 Balwan @ Buggal, Davinder @ Kala, Pinna and Ram Phal came there and exhorted to finish Ram Kalan and his wife (complainant). As per the allegations, Balwan @ Buggal is attributed caught hold to Ram Kalan and accused Pinna gave a gandasi blow to him. In this occurrence, injuries were also suffered by complainant Sudesh.

Learned counsel for the petitioner contends that the investigation of the case is complete and challan stands filed. No injuries are attributed to the petitioner. It is pointed out that the injury, which attracted the offence under Section 307 IPC, is caused by accused Pinna @ Sukhwinder. It is further pointed out that three witnesses have been examined, which includes the examination of the complainant Sudesh as well.

On the other hand, learned State counsel, assisted by SI Satyawan Singh, opposed the bail application. It is pointed out that the petitioner was accompanying the other assailants and the motive was with him, with whom the complainant had a dispute. However, it is not disputed that the complainant has already been examined and still there are 15 prosecution witnesses, who remain to be examined.

Considering the custody of the petitioner, stage of the trial, which is likely to consume more time, further detention of the petitioner may not be justified. Therefore, without meaning any expression on merits of the case, it is ordered that petitionere Balwan @ Buggal be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

January 24, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No