

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8721-2020 (O&M)

Date of Decision:- 4.3.2020

Munsarif

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Farukh Abdullah, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana,
assisted by ASI Sita Ram.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.371, dated 7.9.2019, under Sections 147, 149, 323, 379, 427, 436, 506 IPC, Police Station Ferozepur Jhirka.
2. The FIR was registered at the instance of Azad wherein it has been alleged that they had purchased land about 10 years back and that there is a residential “*chappar*” constructed upon the same. It is alleged that about 2 years back Harun had raised a dispute about the

same land and the matter was taken to Court and the Court had given possession of the same to the complainant. It is alleged that on 31.7.2019 when the complainant was away in connection with his labour work and his wife and children were present at home, the accused Harun, Shokeen, Jafu, Hazru, Munsarif, Saidan, Sarzina, Shakunat came to his house and gave beatings to his children and damaged his “*chappar*” and took away about 500 bricks, cooler, washing machine, freeze and other household articles in a tractor while setting on fire the residential “*chappar*”.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and the falsity of the case would be evident from the fact that while the occurrence is stated to have taken place on 31.7.2019, the FIR came to be lodged after more than a month i.e. on 7.9.2019.
4. Opposing the petition learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has however been informed that the petitioner has been behind bars since the last more than 2 ½ months and that challan already stands presented. It has also been informed that the petitioner is not involved in any other case.
5. Having regard to the facts and circumstances of the case and while noticing that challan already stands presented and that the petitioner is not involved in any other case, further detention of the petitioner will not serve any useful purpose.

6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 4, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No