

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

MONIKA VERMA
2020.06.04 06:32
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**CRM-M-12670-2020(O&M)
Decided on : 03.06.2020**

Ajay

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. J.S. Saneta, Advocate for the petitioner (s).

Mr. Chetan Sharma, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The matter has been taken up by way of Video Conferencing facility in view of COVID-19 situation, as per instructions issued.

In the present petition filed under Section 439 Cr.P.C., the petitioner is seeking concession of regular bail in case FIR No.287 dated 19.03.2020 under Section 379-B IPC (offence under Sections 324 and 201 IPC added later on), registered at Police Station Model Town, District Panipat.

Counsel for the petitioner contends that in the dispute inter se between the complainant and the petitioner, when they were consuming liquor together, the vehicle had also been taken away by him at that point of time and thus, the petitioner has been named in the FIR. However, the factum of the version of the complainant that 4-5 persons had attacked him and he knew one of them is incorrect. He has stated that the challan has been filed only against the petitioner, who is in custody since 22.03.2020 and it is, thus, submitted that it is the case of the disagreement over certain issues while both of them were sitting together. It is further submitted

that the investigation is already complete and considerable time is likely to be taken for the conclusion of the trial. The injuries on the person of the complainant are not dangerous to the life.

Keeping in view the considered facts narrated above and once the version of the complainant is not as such prima facie correct as recorded in the FIR, since no other persons have been held responsible to have taken away the vehicle, which is corroborated by counsel for the State, on instructions from ASI Baljinder Singh. The petitioner is, thus, entitled to bail as he is already in custody for over two months. Accordingly, the present application for regular bail is allowed. The petitioner shall be released on regular bail on furnishing of bail bonds/sureties to the satisfaction of Duty Magistrate/Illaqa Magistrate, Panipat.

June 03, 2020
monika

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No