

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

(Proceedings conducted through video conferencing)

CRM-M No. 15467 of 2020(O&M)

Date of decision: 9.7.2020

Saurav @ Kaira

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Vikas Gulia, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J.(Oral)

Saurav @ Kaira prays for grant of regular bail in respect of offence punishable under Sections 323, 364 read with Section 34 and 120-B of Indian Penal Code (in short 'IPC') registered at Police Station City, Sonapat vide FIR No.156 dated 09.02.2020.

Counsel for the petitioner would argue that as per FIR lodged at the behest of Rohit, Kuldeep Singh father of the present petitioner has been attributed an active role in respect of kidnapping and causing injuries to Rohit but on due investigation of FIR, Kuldeep Singh was found innocent and his name has been entered in column No.2 of report under Section 173 Cr.P.C. It is further argued that the petitioner is ready to face trial without any default when otherwise he has been remanded to judicial custody, therefore, no longer required for the purpose of investigation.

Counsel representing the State of Haryana has opposed the prayer for grant of bail with the submission that there are serious

allegations against the petitioner with regard to kidnapping of Rohit and causing injuries on his nose with a fist blow, declared to be grievous in nature, constituting offence under Section 325 IPC. She would further inform that another criminal case was registered against the petitioner under Section 307 IPC for attacking a witness of a murder case registered against brother of the petitioner.

The petitioner is in custody since 21.02.2020. The challan has been presented in the Court and the same is at the stage of framing of charge, therefore, conclusion of trial is likely to take its own time. There is no allegation that petitioner is likely to flee from the process of justice, in case enlarged on bail.

In view of the above, without meaning to express any opinion on merits of the controversy, the petitioner shall be released on bail subject to satisfaction of the trial Court/Additional Sessions Judge (on duty), Sonapat. However, he shall abide by the following conditions:-

- (i) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) He shall not leave India without previous permission of the Court.

Disposed of accordingly.

JULY 9, 2020

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no