

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

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IN VIRTUAL COURT

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CRM-M No. 18395 of 2020

Date of decision : 29.7.2020

Jashandeep Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.S. Swaich, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition has been filed by the petitioner under Section 439 of Cr.P.C. for grant of bail pending trial in case FIR No. 18 dated 14.1.2020, registered under Sections 147, 149, 323 and 506 IPC (Sections 201, 307 and 510 IPC added later on and Sections 279, 337 IPC deleted later on), at Police Station Baldev Nagar, District Ambala.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the petitioner is alleged to be sitting in the car, which had hit the complainant and which was being driven by co-accused. However, no serious injury was caused to the complainant. All the injuries suffered by him have already been declared simple in nature. The petitioner is in custody since 18.1.2020. There is no other case against the petitioner.

Notice of motion.

Mr. Vishal Malik, DAG, Haryana, accepts notice on behalf of the State and Mr. Munish Behl, Advocate, accepts notice on behalf of the complainant.

Learned State counsel, being instructed by SI Om Prakash, has submitted that the petitioner was sitting in one of the two cars, which had hit the motor cycle, on which the complainant and his friend Satinder were riding. Due to the hitting of the car, the motor cycle had fell down and in the said incident, friend of the complainant had received serious injuries, resulting him to be in comma for a long time. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed that the allegations against the petitioner is only qua being sitting in the car, which had hit the complainant and which was being driven by the co-accused. It is also not disputed that the complainant had suffered only simple injury and was discharged from the hospital on the same day. Still further, it is not disputed that the petitioner is in custody since 18.1.2020. The State has also not pointed out any other case against the petitioner.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail pending trial on his furnishing bail bonds/sureties to the satisfaction of the trial Court/ Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

29.7.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No