

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

211

CRM-M-27355-2020.

Date of Decision: 16.09.2020.

Ajay and others

....Petitioners.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. R.S. Mamli, Advocate for petitioners.

Mr. Vivek Saini, Additional Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioners namely **Ajay, Udey Bhan and Vijay Kumar** in case FIR No.41 dated 28.01.2020 under Sections 148, 323 and 506 IPC read with Section 149 IPC (Sections 307 and 325 IPC added lateron), registered at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioners *inter alia* contends that petitioners have no nexus whatsoever with the alleged offence. He further submits that a bare perusal of copy of FIR, it appears that alleged injuries on the head and face of injured-Surender, which have been declared dangerous to life, those injuries have been attributed to co-accused namely Raki and Parmod. He further urges that the petitioners are in custody since 27.07.2020 and they are no more required by the Police for any investigation purpose. He further submits that since presentation of challan

and consequent trial would take sufficient time to conclude, no useful purpose would be served by keeping the petitioners in custody further and they may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioners do not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioners are in custody since 27.07.2020; that petitioners are no more required by the Investigating Agency for investigation purpose; that presentation of challan and consequent trial would take sufficient time to conclude, no useful purpose would be served by detaining the petitioners in custody further, thus, they deserve the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioners namely **Ajay, Udey Bhan and Vijay Kumar** is allowed and they are ordered to be released on bail on their furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Fatehabad, as the case may be.

(LALIT BATRA)
JUDGE

16.09.2020

jitender

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No