

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

CRM-M-35660-2020 (O&M)
Date of Decision:-10.12.2020

Yogender ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gautam Dutt, Advocate for
Mr. Karan Pathak, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.550 dated 23.9.2020 at Police Station Camp Palwal, District Palwal under Sections 224, 458, 212 and 120-B of Indian Penal Code, 1860.
2. The allegations, in nutshell, are that the complainant who is working as a Peon with a Judicial Officer in Palwal noticed that a boy was hiding by the side of a wall in the residence of Judicial Officer and who was carrying a bolt of a door in his hand. It is alleged that the said boy even tried to launch attack upon the complainant but the complainant was able to overpower him.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that neither any loss was caused to any property nor anybody was injured and in any case as of now investigation has concluded and challan stands presented and as such, the petitioner is no longer required to be detained.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner was caught red-handed at the spot while he had trespassed into the house of the Judicial Officer and was armed with a handle which could be used as a weapon, no case for grant of bail is made out. The learned State counsel, upon instructions from Head Constable Shiv Kumar, has, however, informed that the petitioner as on date has been behind bars since the last more than 2 months and that challan already stands presented. The learned State counsel has informed that there is one more case lodged against the petitioner for offences under Sections 490 and 465 IPC etc.
5. Having regard to the facts and circumstances of the case and the nature of allegations as levelled in the FIR and while noticing that challan already stands presented, further detention of the petitioner will not serve any useful purpose. 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.

10.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No