

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

**CRM-M-646-2021 (O&M).
Decided on: October 5, 2021.**

Azad and another

.. Petitioners

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Parminder Singh, Advocate,
for the petitioner.**

Mr.Ranvir Singh Arya, Addl. A.G. Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.446 dated 27.07.2020, under Sections 323, 324, 325 and 506 IPC, (Sections 148, 149 and 307 IPC added later on) registered at Police Station Asandh, District Karnal.

Learned counsel for the petitioners has submitted that in the present case, the petitioner is in custody since 14.9.2020 which is more than 1 year and the investigation of the case is already complete and challan

has been presented. He has further submitted that after framing of charges even the injured-complainant has also been examined in the present case. He has further submitted that the material witnesses have been examined. He has further submitted that the petitioner is not involved in any other case and the conclusion of the trial will take some time, therefore, keeping in view the custody period, the petitioner may be considered for the grant of regular bail.

On the other hand, learned State counsel has submitted that so far as the custody period of the petitioner is concerned, the same is correct. He has submitted that it is also correct that after completion of the investigation challan has been presented and even the injured-complainant has also been examined. He has stated that the complainant has supported the case of the prosecution. However, he has opposed the grant of bail to the petitioner on the ground that the matter is serious in nature.

I have heard the learned counsel for the parties.

Custody period of the petitioner is more than one year and the main prosecution witness i.e. the injured-complainant has also been examined. No recovery is to be effected from the petitioner. The conclusion of the trial is likely to take a long time and admittedly, there is no other case against the petitioner. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or tamper with evidence or may flee from justice.

Therefore, keeping in view the totality of circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the

petitioners shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

October 5, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No