

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

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**CRM-9758-2021 in
CRM-M-1719-2021.
Date of Decision: 05.04.2021.**

Abdul Sattar	Versus	Applicant/Petitioner.
State of Haryana		Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Shantanu Bansal, Advocate for applicant/petitioner.
Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

CRM-9758-2021

This application under Section 482 Cr.P.C. is for preponing the date of hearing of the main petition, which is already fixed for 18.05.2021.

Notice of the application.

At the asking of Court, learned State counsel accepts notice and stated that he has no objection if application is allowed.

In view of the grounds mentioned in the application and no objection by learned State counsel, hearing of the main petition is preponed and the main petition is taken on Board today itself.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Abdul Sattar** for grant of regular bail in case FIR No.324 dated 12.11.2020 under Sections 186, 307, 353, 379 and 411 IPC read with Section 34 IPC and Section 11(1)(d) of the Prevention of Cruelty to

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that petitioner was not named in the FIR. He further urges that no specific role in the commission of alleged offence is attributed to the petitioner and even otherwise he was not present on the spot. He further submits that a bare perusal of contents of FIR would reveal that no case whatsoever for commission of offence under Section 307 IPC is made out against the petitioner. He further submits that petitioner is in custody since 12.11.2020 and he is no more required by the Investigating Agency for any investigation purpose. He further submits that after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in the Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he 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, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and carefully gone through the records.

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 petitioner is in custody since 12.11.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be

served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Abdul Sattar** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Ambala, as the case may be.

(LALIT BATRA)
JUDGE

05.04.2021

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No