

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

CRM-M-3556-2021 (O&M)
Date of Decision:- 25.8.2021

Manbir alias Manne

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.K.Tuteja, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Amit Kumar.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.562, dated 23.8.2020, Police Station Shivaji Colony, Rohtak, under Sections 148, 149, 323, 324, 307, 120-B IPC and Section 42 of Prisons Act.

2. The FIR was lodged at the instance of Aman wherein it is alleged that he is lodged in Sunaria Jail in respect of a case registered against him for offence under Section 307 IPC. On 20.8.2020 at about 11 am when he was returning back to his barrack after taking some goods from the canteen, then upon a signal given by Manbir (petitioner) some jail inmates namely Vikas @ Vicky, Ravi, Naveen, Narinder @ Neeraj and Abhishek attacked him and caused injuries with 'suas' (bodkin) and 'kanta' (a large metal hook) with an intention to kill him. They caused injuries on various parts of his body. When he raised alarm he was rescued by the jail officials and was taken to PGI Rohtak where he was operated upon. It is alleged that the assailants had attacked him at the instance of Manbir because on an earlier occasion he had fired at Manbir in Village Bohar in the year 2019 and he had now been attacked in order to take revenge.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case simply in order to settle scores and that even as per the FIR the petitioner is not stated to have participated in the occurrence and is attributed the role of conspirator and is not attributed any injury at all.
4. Opposing the petition, learned State counsel has submitted that it is a case where the petitioner is involved in two other cases and that it is a case of gang war between two groups of criminals. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about one year. It has further been

informed that in the instant case none out of the cited 25 PWs has been examined so far.

5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that no injury is attributed to the petitioner who is alleged to have conspired for the commission of the offence in question. The petitioner in any case has been behind bars since the last about one year. The trial in its normal course is likely to take substantial time inasmuch as the same has not even been commenced so far as none out of the cited 25 PWs has been examined till date. In these circumstances 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 bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.8.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No