

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

CRM-M-6385-2021 (O&M)

Date of decision: 15.07.2021

Sandeep Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Aman Pal, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case bearing FIR No. 42 dated 19.01.2018 registered under Sections 148, 149, 302, 506, 216, 120-B IPC, at Police Station Samalakha, District Panipat.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. There is a previous enmity between the families of the petitioner and the complainant regarding some land. The allegation against the petitioner is that he was on a motor-cycle along with co-accused, namely, Sumit @ Mota, who has already been granted

regular bail, vide order dated 21.11.2018 passed by a Coordinate Bench. The additional allegation against the petitioner is that he after having alighted the motor-cycle had inflicted injuries upon deceased-Kanwar Bhan. However, no specific injury has been attributed to him. Moreover, the complainant has already been examined, wherein she stated that there was only one car, which was used in the alleged crime. The petitioner has been in custody since 22.01.2018.

Learned counsel for the petitioner also points out that the deceased was a person of criminal antecedents and one FIR under Section 302 IPC, three FIRs under Section 325 IPC and two FIRs under Section 420, IPC had been registered against him.

Learned State counsel, while vehemently opposing the prayer for bail, submits that in view of the gravity of the offences committed by the petitioner, he is not entitled to the grant of regular bail. However, he does not dispute the fact that though the petitioner was specifically named in the FIR, yet the complainant had not identified the petitioner. He also does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 22.01.2018. Other co-accused has already been enlarged on regular bail. Though the case is at the stage of evidence, yet the trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

15.07.2021
Mangal Singh

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