

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

201

CRM-M No.7259 of 2021(O&M)

Date of Decision: 30.04.2021

Amit

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Abhishek Sindhvani, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy A.G. Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner- Amit in case FIR No.268 dated 11.09.2020 under Sections 148, 323, 427 and 436 IPC read with Section 149 IPC (Sections 148, 149 and 436 IPC were deleted, whereas Sections 307 and 506 IPC read with Section 34 IPC were added later on), registered at Police Station Uchana, District Jind.

Affidavit dated 16.03.2021 of Jitender Singh, Deputy Superintendent of Police, Jind, already filed on behalf of respondent-State, in compliance of order dated 19.02.2021, is taken on record.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He urges that no specific role has been attributed to the

petitioner in the commission of alleged offence. He further urges that allegedly injury No.1 sustained by injured-Kuldeep, which has been declared 'dangerous to life', is attributed to co-accused Sumit. He further urges that both the injured namely Ram Mehar (complainant) and Kuldeep have already been discharged from the hospital. He further urges that petitioner is in custody since 27.12.2020 and after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges that 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 have 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 27.12.2020; 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- Amit 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, Jind, as the case may be.

(LALIT BATRA)
JUDGE

30.04.2021

D.Gulati

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No