

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

112

CRM-M-23040-2021.

Date of Decision: 28.07.2021.

Harjinder Singh @ Sonu

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ashit Malik, Advocate for petitioner.

Mr. Manish Dadwal, Assistant Advocate General, Haryana.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Harjinder Singh @ Sonu** for grant of regular bail in case FIR No.31 dated 18.04.2009 under Section 148, 216, 307, 323, 325, 342, 384 and 506 IPC read with Section 149 IPC, registered at Police Station Babain, District Kurukshetra.

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 co-accused namely Joginder Singh and others, who faced trial, they were acquitted of charge under Section 307 IPC and ultimately, they were convicted and sentenced for the commission of offence punishable under Sections 323 and 325 IPC. He further submits that petitioner is in custody since 16.02.2021 and he is no more required by the Investigating Agency for any investigation purpose. He further submits that trial has already commenced 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 of the case.

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 16.02.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; and that 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-**Harjinder Singh @ Sonu** 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, Kurukshetra, as the case may be.

(LALIT BATRA)
JUDGE

28.07.2021

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No