

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

**CRM-M-19497-2021 (O&M)
Date of decision: 06.09.2021**

Devi Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-28009-2021

Application is allowed as prayed for. Annexure P-4 to P-6 are taken on record.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 338 dated 12.10.2018, registered under Sections 148, 149, 323, 341, 325, 379-B, 428, 506 and 120-B IPC, at Police Station Nangal Chaudhary, District Mahendergarh, Haryana.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. The injury attributed to the petitioner is a baton blow on the right leg below knee of the complainant. The petitioner has been in custody since 13.10.2018. Similarly placed co-

accused Gabbar @ Hanuman, has already been granted regular bail by this Court, vide order dated 03.03.2021 (Annexure P-2). Moreover, complainant-Rajesh Kumar and eye witness-Amar Singh, PW-2 and PW-3 respectively, have not supported the prosecution version.

Learned State counsel, while opposing the prayer for bail, submits that there are serious allegations against the petitioner and, therefore, he is not entitled to the concession of the bail. He however, does not dispute the custody period of the petitioner and that the complainant and eye witness have been declared hostile.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.10.2018. The complainant and the eye witness have been turned hostile. 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.

06.09.2021

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No