

CRM-M-21984 of 2021
Date of Decision: 12.07.2021

Mange Ram @ Manga

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURIPresent: Mr. D.S. Matya, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

Through Video Conferencing**JASGURPREET SINGH PURI, J.(ORAL)**

The present petition has been filed under Section 439 of Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.6, dated 04.01.2021, under Sections 308, 323, 34 and 506 IPC, 1860 and 3(1) (r), (s), (u) and 3(2) (va) of SC and ST Act, 1989, registered at P.S. Kurukshetra University, District Kurukshetra.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and it was only because of the rivalry that the present FIR came to be lodged against the petitioner. He has submitted that the petitioner is in custody since 08.04.2021 and the investigation of the case is already complete and no recovery has been effected from the petitioner as of now and the challan stands presented. He has submitted that since the trial of the case would take long time, he may be considered for the grant of regular bail. He has further submitted that the petitioner is not involved in any other case.

Mr. Naveen Singh Panwar, learned DAG, Haryana has submitted that it is correct that the petitioner is in custody since 08.04.2021

and the investigation of the case is already complete and the challan has already been presented. He has further submitted that the injury caused on the head of the complainant which, although, was simple in nature, but the petitioner is not entitled for the grant of regular bail.

At this stage, Mr. Tushar Gautam, Advocate has also caused appearance on behalf of the complainant to assist learned DAG, Haryana. He has submitted that a compromise has been effected between the parties and a separate petition has been filed for quashing of the FIR based on compromise.

I have heard the learned counsel for the parties.

The custody period of the petitioner is not in dispute and it is also not in dispute that the petitioner is not involved in any other case and the challan in the case has already been presented to the competent Court. As of now no recovery has been effected from the petitioner. Furthermore, it is not the case of the State that in case the petitioner is enlarged on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the totality of the circumstances of the present case, I deem it a fit and appropriate case to grant the concession of regular bail to the petitioner. Consequently, the present petition is allowed. The petitioner is enlarged on regular bail on his furnishing bail/surety bonds subject to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(JASGURPREET SINGH PURI)
JUDGE

July 12, 2021

Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No