

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

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CRM-M-23986-2021 (O&M)

Date of decision: 30.11.2021

RANBIR @ ANU

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Tarun Seth, Advocate for
Mr. VB Godara, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.131 dated 25.02.2020, registered under Sections 148, 149, 323, 324, 452, 307 IPC and Section 25 of the Arms Act, 1959, at Police Station HTM Hisar, District Hisar, Haryana.

Status report by way of an affidavit dated 24.11.2021 of the Deputy Superintendent of Police, Hisar-I, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that initially the petitioner was not named in the FIR; that the petitioner was indicted in the present case, on the basis of the supplementary statement of the complainant, recorded after two days of the occurrence; that the injury entailing the offence Section 307 IPC is not attributed to the petitioner; that the alleged recovery has already been effected from the petitioner, who has been in custody since 28.02.2020.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that the petitioner had actively participated in the occurrence, inasmuch as, he along with other co-accused, while armed with iron rod, sword and gandasi, had attacked Pardeep and Bintu, the injured, with an intention to kill them. He, however, has not disputed the custody period of the petitioner. He further submits that out of 16 prosecution witnesses, only 02 have been examined, so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 28.02.2020. The petitioner was indicted on the basis of the supplementary statement of the complainant. No specific injury has been attributed to the petitioner. Prosecution witnesses are yet to be examined. In such circumstances, the trial is unlikely to conclude any time soon. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

30.11.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No