

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

227

**CRM-M-22974-2021
Date of decision: 29.06.2021**

SUMIT SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Anil Kumar Malik, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G. Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J. (ORAL)

(The case has been taken up for hearing through video conferencing.)

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C.") for grant of regular bail in case FIR No. 223 dated 15.03.2021 registered under Sections 148, 323, 324 and 506 read with Section 149 of the Indian Penal Code, 1860 (for short, "the IPC") at Police Station Old Industrial Area, Panipat from which Sections 148 and 149 of the IPC were deleted and to which Section 308 and Section 34 of the IPC were added lateron.

The petitioner being in custody has filed the present petition for grant of regular bail.

The petition has been opposed by the learned State Counsel. However, no reply has been filed by the respondent-State.

I have heard learned Counsel for the petitioner and learned

State Counsel and gone through the relevant record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. Vague and general allegations have been made in the FIR against the petitioner. As per the prosecution version the petitioner was not armed with any weapon and there is no specific attribution of causing of injuries to him. As per the prosecution version injury attracting Section 308 of the IPC is attributed to co-accused Amit. Similarly placed co-accused-Amit and Bijender Singh have been granted regular bail by learned Additional District and Sessions Judge, Panipat vide order dated 12.05.2021. The trial is likely to take long time due to restrictions imposed to prevent the spread of Covid-19. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has argued that the petitioner is accused of having committed serious offences. In view of the nature of accusation and gravity of offences, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, the role attributed to him, parity with co-accused-Amit and Bijender Singh who have been granted regular bail by learned Additional District and Sessions Judge, Panipat vide order dated 12.05.2021 and also the fact that the trial is likely to take long time due to restrictions imposed to prevent the spread of Covid-19, but without commenting on the merits

of the case, I am inclined to extend the concession of regular bail to the petitioner.

In view of the above, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.06.2021

Vishal

(ARUN KUMAR TYAGI)
JUDGE

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