

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

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CRM-M-23190-2021 (O&M)

Date of Decision: 15.11.2021

SATWANT

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Ashok Singh Chaudhary Addl. AG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail, in case bearing FIR No.248 dated 16.09.2020 registered under Sections 148, 149, 332, 333, 353, 342, 427, 379-B and 506 IPC, and Section 33/63 of Indian Forest Act, 1927, at Police Station Nangal Chaudhary, District Mahendergarh, Haryana.

Learned counsel for the petitioner submits that neither the petitioner was named in the FIR nor in the statement recorded by the Deputy Ranger, Forest Department, on 16.09.2020 under Section 161 Cr.P.C.; that it was only on the basis of the second disclosure statement of Satender, the petitioner's name cropped up in the present case; that the petitioner has been in custody since 22.09.2020 and that the grievous injury, on the wrist of Chandra Gupt, has not been attributed to the petitioner.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that there are serious allegation against the petitioner, inasmuch as, he along with other co-accused have manhandled the government officials and that the recovery of a danda was effected from the petitioner. He further submits that post framing of the charges, the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR and was indicted on the basis of the second disclosure statement of the co-accused. The petitioner has been in custody since 22.09.2020. Prosecution witnesses are yet to be examined. The trial of the case 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.

15.11.2021

Renu Rawat

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*