

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

117

CRM-M-23619-2021(O&M)

Date of Decision: 07.12.2021

Sumit

....Petitioner

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Abhishek Sindhwani, Advocate for the petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C has been moved by petitioner – **Sumit** for grant of regular bail in case FIR No.268 dated 11.09.2020 under Sections 148, 323, 427 and 436 IPC read with Section 149 IPC (Sections 148, 149 and 436 IPC were deleted, whereas Sections 307 and 506 IPC read with Section 34 IPC were added later on), registered at Police Station Uchana, District Jind.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that no specific injury either on the person of complainant- Ram Mehar or on the person of Kuldeep, is attributed to the petitioner in the commission of alleged offence. He further urges that both injured namely Ram Mehar (complainant) and Kuldeep have already been discharged from the hospital. He further submits that co-accused namely Joginder, Pawan, Balwan and Amit have already been extended concession of bail by Courts concerned. He further submits that petitioner is languishing in custody since 25.12.2020 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*)

has already been presented in Court. He further urges that since trial of the

case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 25.12.2020; that co-accused namely Joginder, Pawan, Balwan and Amit have already been extended concession of bail by Courts concerned: that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Sumit** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Jind, as the case may be.

(LALIT BATRA)
JUDGE

07.12.2021

d.gulati

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No