

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

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CRM-M-25623-2021

Date of Decision: 20.09.2021

Samir Kumar @ Chotta

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Anter Singh Brar, Advocate and
Mr. Deepak Aggarwal, Advocate for
Mr. Mahesh Goyal, Advocate
for petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner- **Samir Kumar @ Chotta** in case FIR No.224 dated 11.10.2019 under Sections 148, 307, 323, 324, 326 and 506 IPC read with Section 149 IPC, registered at Police Station Sector-14, Panchkula, District Panchkula.

Learned counsel for 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 allegedly petitioner inflicted stick blow on the legs of injured Sumit @ Vicky. He further submits that allegedly injuries on the person of injured Sumit @ Vicky, which have been found dangerous to life, those injuries have been attributed to co-accused Ajay Mental. He further submits that co-accused namely Guru Parshad and Sultan have already been admitted to bail by this Court, vide orders dated 01.07.2020 and 27.05.2021 passed in CRM-M-15334-2020 and CRM-M-19053-2021 respectively. He further submits that petitioner is languishing in custody since 16.06.2021 and he is no more required by the Police for any investigation purpose as after completion of

investigation, final report under Section 173 Cr.P.C, (*Challan*) has been presented in Court and 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 co-accused namely Guru Parshad and Sultan have already been admitted to bail by this Court, vide orders dated 01.07.2020 and 27.05.2021 passed in CRM-M-15334-2020 and CRM-M-19053-2021 respectively; that petitioner is languishing in custody since 16.06.2021; 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-**Samir Kumar @ Chotta** 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, Panchkula, as the case may be.

20.09.2021

d.gulati

(LALIT BATRA)
JUDGE

Whether speaking/ reasoned : Yes/ No
Whether Reportable : **Yes/ No**